

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER GERACE, JR.,

Defendant.

Case No. 1:19-cr-227

1:23-cr-37

(LJV)

December 16, 2024

TRANSCRIPT EXCERPT - EXAMINATION OF L.L. (PW #1)
BEFORE THE HONORABLE LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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PRESENT:

KAREN A. CHAMPOUX, USA PARALEGAL

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MARILYN K. HALLIDAY, HSI SPECIAL AGENT

OLIVIA A. PROIA, J.D., PARALEGAL

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Robert H. Jackson Courthouse
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10:02AM 1 (Excerpt commenced at 10:02 a.m.)

10:02AM 2 (Jury seated at 10:02 a.m.)

10:03AM 3 **THE COURT:** Good morning, everyone.

10:03AM 4 **JURORS:** Good morning.

10:03AM 5 **THE COURT:** Welcome back. Most of you are smiling
10:03AM 6 due to the Bills victory.

10:03AM 7 The record will reflect that all our jurors are
10:03AM 8 present.

10:03AM 9 I remind the witness that she's still under oath.

10:03AM 10 And, Mr. Tripi, you may continue.

10:03AM 11 **MR. TRIPI:** Thank you, Your Honor.

10:03AM 12

10:03AM 13 **L.L. (PROTECTED WITNESS #1),** having been previously duly
10:03AM 14 called and sworn, continued to testify as follows:

10:03AM 15

10:03AM 16 **(CONT'D) DIRECT EXAMINATION BY MR. TRIPI:**

10:03AM 17 Q. Good morning, Ms. L.L.

10:03AM 18 A. Good morning.

10:03AM 19 Q. We left off on, I think, Friday, and we had talked --
10:03AM 20 finished talking about physical effects of -- of heroin; do
10:03AM 21 you remember that?

10:03AM 22 A. Yes.

10:03AM 23 Q. I'd like to start off today by --

10:03AM 24 **MR. TRIPI:** For the witness only, pulling up on her
10:03AM 25 screen Exhibit 463-3. This is not in evidence.

2 Q. And, Ms. L.L., on the screen next to you, we're gonna
3 pull up an image. It should appear momentarily. I just want
4 you to look at that. And when you're done, look back at me
5 and I'll ask some more questions, okay?

7 **MR. TRIPI:** And can we zoom in, Ms. Champoux, to make
8 the image larger? Thank you.

10 Q. Just take a moment, look at that, and when you're done
11 look up. Do you recognize that?

13 | Q. Are you in that picture?

15 | Q. That's not you?

17 | Q. Okay. Is that A.A.?

19 Q. Oh, okay. I'll take it down.

21 | Q. We're off to a flying start.

22 | All right. I'll ask some other questions then.

23 When you first started at Pharaoh's, Ms. L.L., did your
24 appearance, due to your drug use, degrade over time?

25	A. Yes.
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10:05AM 1 Q. Okay. I'm going to talk about that more later on. But
10:05AM 2 obviously, when you started as a 20-year-old, you weren't
10:05AM 3 addicted to those heavy drugs, right?

10:05AM 4 A. Correct.

10:05AM 5 Q. Over time, those drugs took a physical toll on you, and
10:05AM 6 we ended Friday talking about that; is that right?

10:05AM 7 A. Yes.

10:05AM 8 Q. We'll switch some -- switch gears a little bit.

10:05AM 9 In terms of the positions of people that worked at
10:06AM 10 Pharaoh's, I think the jury's heard a lot about it so I'm
10:06AM 11 going to run through the different positions that people work
10:06AM 12 at Pharaoh's, okay?

10:06AM 13 A. Okay.

10:06AM 14 Q. There were dancers?

10:06AM 15 A. Dancers.

10:06AM 16 Q. Bartenders?

10:06AM 17 A. Yes.

10:06AM 18 Q. Bouncers or security?

10:06AM 19 A. Yes.

10:06AM 20 Q. And that included the VIP attendant?

10:06AM 21 A. Yes.

10:06AM 22 Q. Managers?

10:06AM 23 A. Yes.

10:06AM 24 Q. Cooks?

10:06AM 25 A. Yes.

10:06AM 1 Q. And there were shot girls?

10:06AM 2 A. Yes.

10:06AM 3 Q. And then in there was the owner; is that right?

10:06AM 4 A. Yes.

10:06AM 5 Q. Now, the club had different sort of areas in terms of its

10:06AM 6 physical layout, right?

10:06AM 7 A. Yes.

10:06AM 8 Q. Was there a main stage?

10:06AM 9 A. Yes.

10:06AM 10 Q. We talked a little bit about it on Friday, and we'll talk

10:06AM 11 more about it later, but was there a VIP Room for dances?

10:06AM 12 A. Yes.

10:06AM 13 Q. Was that broken into a regular section with multiple

10:06AM 14 couches?

10:06AM 15 A. Yes.

10:06AM 16 Q. Was there a more private portion called the Champagne

10:06AM 17 Room?

10:06AM 18 A. Yes.

10:06AM 19 Q. And the distinguishing feature there was the regular VIP

10:07AM 20 was single dances purchased one at a time, right?

10:07AM 21 A. Yes.

10:07AM 22 Q. And the Champagne Room were 30-minute dances purchased at

10:07AM 23 a higher rate; is that correct?

10:07AM 24 A. Yes.

10:07AM 25 Q. Okay. There was a downstairs office, right?

10:07AM 1 A. Yes.

10:07AM 2 Q. There were downstairs locker room and dressing room for

10:07AM 3 dancers?

10:07AM 4 A. Yes.

10:07AM 5 Q. There was a DJ booth in proximity to that?

10:07AM 6 A. Yes.

10:07AM 7 Q. And that sort of was situated between the stage and the

10:07AM 8 woman's dressing room, correct?

10:07AM 9 A. Correct.

10:07AM 10 Q. There were public bathrooms on the first floor, right?

10:07AM 11 A. Yes.

10:07AM 12 Q. There were also more private bathroom for the dancers off

10:07AM 13 the locker room area, right?

10:07AM 14 A. Yes.

10:07AM 15 Q. There was a kitchen area; isn't that true?

10:07AM 16 A. Yes.

10:07AM 17 Q. Was there sort of a -- a window where the kitchen would

10:07AM 18 be that they would put the food out?

10:07AM 19 A. Yes.

10:07AM 20 Q. Okay. And -- and then there was a door that would lead

10:08AM 21 to a stairwell that led to the upstairs?

10:08AM 22 A. Yes.

10:08AM 23 Q. And, of course, the main bar is across from the stage; is

10:08AM 24 that right?

10:08AM 25 A. Correct.

1 Q. Have we just sort of covered the general layout of
2 Pharaoh's?

3 A. Yes.

4 Q. Okay. And based on your time and experience in the club,
5 who controlled that upstairs area?

6 A. Peter.

7 Q. This defendant?

8 A. Yes.

9 Q. We've heard a bunch about it in terms of how dancers get
10 paid, so I'm going to kind of try go quickly through this
11 part of it. But, what is a house dance?

12 A. A house dance is the first dance of the night. They take
13 your house dance. So basically it goes to the club.

14 Q. So the full amount of the payment for your first dance
15 goes directly to the club?

16 A. Yes.

17 Q. Okay. And then after that, is there a split, like, a
18 percentage every dance after that, some goes to the dancer,
19 some goes to the club?

20 A. Yes.

21 Q. Now, focusing in on the downstairs in the VIP area, how
22 was the flow of patrons into the VIP handled?

23 And what I mean by that is how does a patron pay for a
24 dance and then obtain a dance? Can you explain that, how
25 it's supposed to work, for the jury?

10:09AM 1 A. Yes. So the dancer and the dancer's customer go up to
10:09AM 2 the VIP stand where there is a manager. And he pay -- the
10:09AM 3 customer pays for the dance, and then we get chips back.

10:09AM 4 Q. Okay. And what do the chips indicate?

10:09AM 5 A. The chips indicate what kind of dance you did, and for
10:10AM 6 how much.

10:10AM 7 Q. Okay. So a single dance would be one color chip?

10:10AM 8 A. Right.

10:10AM 9 Q. A Champagne Room dance, another color chip?

10:10AM 10 A. Yes.

10:10AM 11 Q. And then you turn in the chips at the end of the night?

10:10AM 12 A. Yes.

10:10AM 13 Q. But you don't get a chip for the very first dance that
10:10AM 14 you do?

10:10AM 15 A. Correct.

10:10AM 16 Q. When you were there, do you remember how much a single
10:10AM 17 dance cost in the more general part of the VIP?

10:10AM 18 A. I believe it was 25.

10:10AM 19 Q. Okay. And approximately how much, if you recall, did a
10:10AM 20 Champagne Room dance cost?

10:10AM 21 A. \$175.

10:10AM 22 Q. And what was the duration of a Champagne Room dance? How
10:10AM 23 long?

10:10AM 24 A. 30 minutes.

10:10AM 25 Q. Now, was it common for you to get tips for the single

10:11AM 1 dances from the customer?

10:11AM 2 A. Yes.

10:11AM 3 Q. Was it also common for you to get tips from the Champagne

10:11AM 4 Room customers?

10:11AM 5 A. Yes.

10:11AM 6 Q. Where would you -- where would you store the -- are those

10:11AM 7 tips cash that you're paid directly?

10:11AM 8 A. At the end of the night?

10:11AM 9 Q. When a customer gives you a tip, who do they give the

10:11AM 10 money to?

10:11AM 11 A. Oh, to me.

10:11AM 12 Q. Where do you put the money?

10:11AM 13 A. In a Pharaoh's bag, whatever kind of bag the dancer

10:11AM 14 carries with them.

10:11AM 15 Q. Is it like a small handbag of some sort?

10:11AM 16 A. Yes.

10:11AM 17 Q. At the end of the night, do you have to tip the people

10:11AM 18 out?

10:11AM 19 A. Yes.

10:11AM 20 Q. Who did you have to tip out yourself at the end of the

10:11AM 21 night? By position, not name.

10:11AM 22 A. We would tip out the door guy, DJ, VIP, and the bartender

10:12AM 23 if you drink.

10:12AM 24 Q. The door guy, DJ, and VIP, were those all men?

10:12AM 25 A. Yes.

10:12AM 1 Q. Now in the VIP Room and the Champagne Room, you talked
10:12AM 2 about a VIP attendant; is that right?
10:12AM 3 A. Yes.
10:12AM 4 Q. Or a manager who works the VIP station?
10:12AM 5 A. Yes.
10:12AM 6 Q. Are there -- does that person have, like, a little podium
10:12AM 7 set up in proximity to entrance to the VIP?
10:12AM 8 A. Yes.
10:12AM 9 Q. Like a little desk area?
10:12AM 10 A. Yes.
10:12AM 11 Q. Is there cameras there?
10:12AM 12 A. Yes.
10:12AM 13 Q. What was security supposed to do in terms of monitoring
10:12AM 14 the cameras?
10:12AM 15 A. They're supposed to watch the cameras and make sure that
10:12AM 16 the -- the dancers in the back don't get, you know, fondled
10:13AM 17 the wrong way, taken advantage of, stuff like that.
10:13AM 18 Q. Okay. Were there stated rules of conduct with respect to
10:13AM 19 the VIP and Champagne Room that were supposed to be followed?
10:13AM 20 A. Yes.
10:13AM 21 Q. What were the stated rules that were supposed to be
10:13AM 22 followed by the staff there, including the manager monitoring
10:13AM 23 the VIP area?
10:13AM 24 A. You are supposed to wear pasties through the whole night.
10:13AM 25 You have to keep your bottoms on, your underwear, they have

10:13AM 1 to stay on. No touching. No touching us inappropriately.

10:14AM 2 No kissing. No sex acts.

10:14AM 3 Q. Of any kind?

10:14AM 4 A. Of any kind.

10:14AM 5 Q. Whose job was it to enforce those rules?

10:14AM 6 A. The owner and the manager.

10:14AM 7 Q. And the dancers as well?

10:14AM 8 A. Yeah.

10:14AM 9 Q. Okay. And who was most frequently the VIP attendant

10:14AM 10 whose job was to monitor the camera and to enforce those

10:14AM 11 rules?

10:14AM 12 A. Mostly it was Brian.

10:14AM 13 Q. Who else -- if it wasn't Brian, who would it be?

10:14AM 14 A. There would be Chris and Doug.

10:14AM 15 Q. Is Chris, Chris Chudy?

10:14AM 16 A. Yes.

10:14AM 17 Q. Do you remember Doug's last name?

10:14AM 18 A. Augustinian. Augustine. Something like that.

10:15AM 19 Q. Okay. And did all those people work for the owner?

10:15AM 20 A. Yes.

10:15AM 21 Q. This defendant?

10:15AM 22 A. Yes.

10:15AM 23 Q. Did they all seem like they knew the defendant a long

10:15AM 24 time?

10:15AM 25 A. Yes.

10:15AM 1 Q. Did anybody in reality enforce those rules from what you
10:15AM 2 saw and what happened to you?
10:15AM 3 A. No.
10:15AM 4 Q. How did those rules differ from what actually occurred in
10:15AM 5 the VIP area?
10:15AM 6 A. In the VIP, none of the rules were followed. So, you
10:15AM 7 know, girls back there would have the man ejaculate in their
10:15AM 8 pants, pull our hair, kiss us, go in our panties.
10:16AM 9 Q. And did other sex acts occur as well?
10:16AM 10 A. Yes.
10:16AM 11 Q. I think Friday we talked about hand jobs that were --
10:16AM 12 A. Hand jobs, vaginal, anal, oral. Yes.
10:16AM 13 Q. All that. The longer you or any dancer stayed in the
10:16AM 14 VIP, did the customer have to pay more money?
10:16AM 15 A. Yes.
10:16AM 16 Q. The longer that a dancer stayed in the VIP with a
10:16AM 17 customer, did the club make more money?
10:16AM 18 A. Yes.
10:16AM 19 Q. Did engaging in sex acts with customers increase the
10:16AM 20 length of time of the dances?
10:16AM 21 A. Sorry, can you repeat that?
10:16AM 22 Q. The more sex acts that were occurring in the VIP, did
10:16AM 23 that make the length of time that you were back there or that
10:16AM 24 other dancers were back there with customers longer?
10:16AM 25 A. Yes.

1 Q. Longer time equals more money?

2 A. Yes.

3 Q. So other than you, who made money off the number of
4 dances you performed in the VIP each night?

5 **MR. SOEHNLEIN:** Objection, Your Honor. I think it's
6 speculation.

7 **MR. TRIPI:** Judge, this is clearly 602.

8 **THE COURT:** Hang on. Yeah, overruled.

9 **BY MR. TRIPI:**

10 Q. Who made money off of the numbers you and others dancers
11 performed in a VIP?

12 A. The club made money.

13 Q. When you say "the club," does that mean the owner?

14 A. Yes.

15 Q. Who else?

16 A. Door guys. DJ. VIP. Bartenders.

17 Q. So everyone?

18 A. Yes.

19 Q. Now I'm going to ask you about specific individuals
20 later, okay --

21 A. Yes.

22 Q. -- but just generally for now, did you engage in vaginal
23 sex in both the VIP and the Champagne Room?

24 A. Yes.

25 Q. Did you witness other dancers do that?

10:18AM	1	A. Yes.
10:18AM	2	Q. Did you engage in anal sex in the VIP and the Champagne
10:18AM	3	Room?
10:18AM	4	A. Yes.
10:18AM	5	Q. Did you witness other dancers do that?
10:18AM	6	A. Yes.
10:18AM	7	Q. Did you engage in oral sex in the VIP Room and the
10:18AM	8	Champagne Room?
10:18AM	9	A. Yes.
10:18AM	10	Q. Did the witness other dancers do that?
10:18AM	11	A. Yes.
10:18AM	12	Q. Did you give hand jobs in the -- in the VIP and the
10:18AM	13	Champagne Room?
10:18AM	14	A. Yes.
10:18AM	15	Q. Did you witness other dancers do that?
10:18AM	16	A. Yes.
10:18AM	17	Q. Were you digitally penetrated, were you fingered, in the
10:18AM	18	VIP and the Champagne Room?
10:18AM	19	A. Yes.
10:18AM	20	Q. Did you witness that happen to other dancers?
10:18AM	21	A. Yes.
10:18AM	22	Q. And we've talked about this, you know, it sucks I have to
10:18AM	23	ask you these questions, right?
10:18AM	24	A. Yes, I understand.
10:18AM	25	Q. Do you understand what we're doing here?

10:18AM 1 A. Yes.

10:18AM 2 Q. Did you grind on men until they ejaculated?

10:19AM 3 A. Yes.

10:19AM 4 Q. Did you witness other dancers do that?

10:19AM 5 A. Yes.

10:19AM 6 Q. Did you kiss and were your breasts fondled?

10:19AM 7 A. Yes.

10:19AM 8 Q. Did you witness other dancers do that?

10:19AM 9 A. Yes.

10:19AM 10 Q. Did your pasties and your underwear come off?

10:19AM 11 A. Yes.

10:19AM 12 Q. Did you witness other dancers do that?

10:19AM 13 A. Yes.

10:19AM 14 Q. All with cameras right above you in the rooms?

10:19AM 15 A. Yep. Yes. Sorry.

10:19AM 16 Q. Did you observe customers who engaged in those types of

10:19AM 17 sex acts with you tip Brian Rosenthal?

10:19AM 18 A. Yes.

10:19AM 19 Q. Did you witness customers who engaged in those types of

10:19AM 20 sex acts tip Doug Augustyniak?

10:19AM 21 A. Yes.

10:19AM 22 Q. Did you witness other dancers, customers, tip those two

10:19AM 23 individuals after those types of dances were performed?

10:19AM 24 A. Yes.

10:19AM 25 Q. I should say sex acts, not dances, right?

10:20AM 1 A. Correct.

10:20AM 2 Q. In terms of your experience, did Brian Rosenthal ever

10:20AM 3 stop any of that activity that you just described?

10:20AM 4 A. No.

10:20AM 5 Q. Did Doug?

10:20AM 6 A. No.

10:20AM 7 Q. Did all of that in your life experience occur after you

10:20AM 8 were severely addicted to heroin and cocaine within two

10:20AM 9 months of working at Pharaoh's?

10:20AM 10 A. Yes.

10:20AM 11 Q. Did you ever get praised by any managers or staff about

10:20AM 12 the number of dances you performed?

10:20AM 13 A. Yes.

10:20AM 14 Q. Who were some of the people that praised you?

10:20AM 15 A. The owner and DJ, VIP.

10:20AM 16 Q. Can you put names to those now?

10:20AM 17 A. Rob Reed, Peter Gerace, Chris Chudy, Doug, Brian.

10:21AM 18 Did I already say Brian? Yeah.

10:21AM 19 Q. Was there a minimum number of dances that a dancer, in

10:21AM 20 order to continue working at Pharaoh's, had to perform in the

10:21AM 21 VIP Room?

10:21AM 22 A. Yes.

10:21AM 23 Q. How many?

10:21AM 24 A. One.

10:21AM 25 Q. So at least one?

10:21AM 1 A. At least one.

10:21AM 2 Q. So based on your experience, your observations working at

10:21AM 3 Pharaoh's from 2013 to 2018, if a dancer worked and didn't go

10:21AM 4 in the VIP, they were not kept on; is that correct?

10:21AM 5 A. Yes.

10:21AM 6 Q. So you can't just go there and just work the stage; is

10:21AM 7 that right?

10:21AM 8 A. Correct.

10:21AM 9 Q. Would dancers get warned about not going in the VIP?

10:21AM 10 A. Yes.

10:21AM 11 Q. Did everyone know they had to do at least one dance and

10:21AM 12 it went to the house?

10:21AM 13 A. Yes.

10:21AM 14 Q. What were the rules about how often you had to work?

10:22AM 15 A. The rules were at least three days a week, and at least

10:22AM 16 six hour shifts. Six- to eight-hour shifts.

10:22AM 17 Q. And how many days did you work per week?

10:22AM 18 A. I was seven days a week.

10:22AM 19 Q. Were you required to select a stage name?

10:22AM 20 A. Yes.

10:22AM 21 Q. What was your stage name?

10:22AM 22 A. Gabriella, also known as Gaby.

10:22AM 23 Q. Did other dancers have other stage names?

10:22AM 24 A. Yes.

10:22AM 25 Q. Roughly how many dancers worked there on a weekend?

10:22AM 1 A. On a weekend? There could be 100.

10:22AM 2 Q. Fair to say you didn't know all the dancers?

10:22AM 3 A. Correct.

10:22AM 4 Q. Fair to say that of the dancers you did know, you knew

10:22AM 5 even less of their real names, their government names?

10:23AM 6 A. Yes.

10:23AM 7 Q. Did dancers -- would dancers travel in from other states

10:23AM 8 or even Canada to work at Pharaoh's for a weekend?

10:23AM 9 A. Yes.

10:23AM 10 Q. And then they'd go back to wherever they came from?

10:23AM 11 A. Yes.

10:23AM 12 Q. What other states did other dancers come in from to work

10:23AM 13 at Pharaoh's while you were there?

10:23AM 14 A. So I know there was Canada, Texas, Florida, Georgia,

10:23AM 15 California --

10:23AM 16 Q. And were there some of those -- were those called feature

10:23AM 17 dancers --

10:23AM 18 A. Yes.

10:23AM 19 Q. -- where they would come in from out of town and perform?

10:23AM 20 A. Yes.

10:23AM 21 Q. Were there other dancers that lived in closer proximity

10:23AM 22 in nearby states like Pennsylvania and things like that?

10:23AM 23 A. Yes.

10:23AM 24 Q. And you mentioned Canada, obviously, is right over the

10:24AM 25 border.

10:24AM 1 A. Yeah.

10:24AM 2 Q. What was the general environment like when you worked

10:24AM 3 there?

10:24AM 4 A. It was a big party every day. That's the best I could,

10:24AM 5 like, explain it.

10:24AM 6 Q. Okay. When you first worked there, did anyone sit you

10:24AM 7 down and tell you the rules about drug use?

10:24AM 8 A. Yes.

10:24AM 9 Q. Who told you the rules about drug use?

10:24AM 10 A. Chris.

10:24AM 11 Q. Chris Chudy?

10:24AM 12 A. Yes.

10:24AM 13 Q. Now, based upon your experience and observations, how did

10:24AM 14 the rules you were told about drug use compare with the

10:24AM 15 practice at Pharaoh's?

10:24AM 16 A. Everything he said was not accurate. It didn't happen,

10:24AM 17 like, like that.

10:24AM 18 Q. Was there pervasive drug use?

10:24AM 19 A. Yes.

10:24AM 20 Q. Were there people you knew you could get drugs from in

10:25AM 21 the club?

10:25AM 22 A. Yes.

10:25AM 23 Q. Did that include heroin and cocaine?

10:25AM 24 A. Yes.

10:25AM 25 Q. We'll talk more about that in a moment.

10:25AM 1 How did the stated rule about engaging in sex acts

10:25AM 2 compare to your experience and observations?

10:25AM 3 A. Can you say that again? Sorry.

10:25AM 4 Q. So there was a rule you talked about a little while ago

10:25AM 5 about no sex acts at all. How did -- how did reality compare

10:25AM 6 to that?

10:25AM 7 A. It didn't. The rules didn't happen. You know what I

10:25AM 8 mean?

10:25AM 9 Q. So the rules were not enforced?

10:25AM 10 A. Right.

10:25AM 11 Q. Based on your observations and your experience, were

10:25AM 12 other dancers using drugs like you?

10:25AM 13 A. Yes.

10:25AM 14 Q. Did you use drugs with some of those other dancers?

10:25AM 15 A. Yes.

10:25AM 16 Q. Did you observe many other dancers doing drugs inside

10:26AM 17 Pharaoh's?

10:26AM 18 A. Yes.

10:26AM 19 Q. What areas of the club have you observed other dancers do

10:26AM 20 drugs inside the club?

10:26AM 21 A. Locker room, locker bathroom, the other bathroom that's

10:26AM 22 on the main floor, in the VIP Room, right at the bar, and

10:26AM 23 upstairs and downstairs office.

10:26AM 24 Q. Upstairs, was that area the defendant controlled?

10:26AM 25 A. Yes.

1 Q. Who can view inside the locker room?

2 A. Rob Reed, DJ.

3 Q. Can managers and bouncers walk -- and the owner walk in
4 and out of the woman's locker room whenever they want?

5 A. Yes.

6 Q. Did they?

7 A. Not often.

8 Q. Okay. In terms of how many dancers you've seen or done
9 drugs with, did you hear about talk of even more than that
10 doing drugs?

11 **MR. SOEHNLEIN:** Objection.

12 **MR. TRIPI:** It goes to her perception, drugs.

13 **THE COURT:** Hang on. Did you hear about -- no,
14 sustained. Sustained.

15 **BY MR. TRIPI:**

16 Q. I'll rephrase that.

17 Are there other people who talked openly about using
18 drugs that you never physically saw yourself use drugs?

19 A. Yes.

20 Q. In terms of other employees at the club, so changing from
21 dancers for a moment -- and at this point I'm not looking for
22 specific names, we'll get into specific names later -- but
23 what other types of employees at Pharaoh's by job description
24 have you seen do drugs inside Pharaoh's?

25 A. Dancer, DJ, bartenders, owner.

1 Q. When you say "owner," are you talking about the
2 defendant?

3 A. Yes. Yeah, I think I covered them.

4 Q. Any other managers?

5 A. Yes, managers. But you didn't want names yet?

6 Q. Not yet.

7 A. Okay.

8 Q. With those groups -- dancers, DJ, bartenders, owner,
9 manager -- what areas of the club have you seen those
10 employees use drugs? Would they be the same?

11 A. Yes.

12 Q. In terms of other employees in the club -- and again I'm
13 not looking for specific names at the point, just by job
14 description -- what other types of employees by job
15 description have you seen distribute some type of drugs
16 inside the club?

17 A. Dancers, DJ, the defendant, bartender.

18 Q. I want to try to put some numbers now to some of these
19 actions/sex acts in the VIP and the Champagne Room, and then
20 we'll talk about the upstairs, okay?

21 A. Okay.

22 Q. Let's talk about the general VIP. So, multiple couches,
23 single-dance situations. Okay?

24 Can you estimate the number of men that you've engaged in
25 sex acts -- ranging of the sort of described, so all the way

10:30AM 1 from fondling your private areas, breasts, vagina, all of the
10:30AM 2 way to through penetration, whether it be oral, anal,
10:30AM 3 vaginal, okay -- how many men would be estimate you've
10:30AM 4 personally engaged those type of sex acts with in the general
10:30AM 5 VIP area?

10:30AM 6 A. 500.

10:31AM 7 Q. Is that the number of men, or the number of sex acts?

10:31AM 8 A. Both.

10:31AM 9 Q. Okay. Did anyone monitoring the cameras ever stop the
10:31AM 10 man who was engaging in that with you?

10:31AM 11 A. No.

10:31AM 12 Q. Do you believe among the dancers you were a high earner
10:31AM 13 at Pharaoh's?

10:31AM 14 A. Yes.

10:31AM 15 Q. Now I'd like to focus in on the Champagne Room, so the
10:31AM 16 more-private room.

10:31AM 17 Do you have an estimate on the number of men in that
10:31AM 18 more-private part of the VIP?

10:31AM 19 A. A number of men? This is throughout the whole time I've
10:32AM 20 been there?

10:32AM 21 Q. Yeah.

10:32AM 22 A. Okay. A couple hundred. Like, 200.

10:32AM 23 Q. Would that be more likely where some of the more, like,
10:32AM 24 vaginal and anal sex occurred?

10:32AM 25 A. Yes.

10:32AM 1 Q. In the Champagne Room setting for you, did anyone ever
10:32AM 2 stop the man who was engaged in that with you?
10:32AM 3 A. No.
10:32AM 4 Q. And you've seen other dancers engage in similar activity?
10:32AM 5 A. Yes.
10:32AM 6 Q. Now in those areas of the VIP, would you see evidence of
10:32AM 7 sex acts? Would you see condoms in that area?
10:32AM 8 A. Yes.
10:32AM 9 Q. Where would you see condoms through the course of a
10:33AM 10 night?
10:33AM 11 A. They would be in, like, the bathroom trash cans, or right
10:33AM 12 in the couches.
10:33AM 13 Q. Like, are you talking about stuffed between the cushions?
10:33AM 14 A. Yes.
10:33AM 15 Q. Is there a smell -- I don't mean to get too graphic, but
10:33AM 16 is there a smell associated with those types of sex acts?
10:33AM 17 A. Yes.
10:33AM 18 Q. Were you able to smell it?
10:33AM 19 A. Yes.
10:33AM 20 Q. Would dancers leave the VIP and ever be asking for things
10:33AM 21 like baby wipes?
10:33AM 22 A. Yes.
10:33AM 23 Q. Would they leave the VIP and go and shower?
10:33AM 24 A. Yes.
10:33AM 25 Q. Was there a shower in the dressing room area?

10:33AM 1 A. Yes.

10:33AM 2 Q. So beyond the sex acts themselves, there was cleanup

10:33AM 3 involved; is that right?

10:33AM 4 A. Yes. I mean, I can't speak for others, but I would clean

10:33AM 5 myself up. You know --

10:33AM 6 Q. But in terms of what you heard, you've heard people

10:33AM 7 asking for baby wipes, things like that?

10:33AM 8 A. Right, yeah.

10:34AM 9 Q. I'll get into more specifics of conversations later, but

10:34AM 10 based upon your observations and experiences, did you observe

10:34AM 11 Brian Rosenthal benefit directly financially from the sex

10:34AM 12 acts that you engaged in in the VIP and in the Champagne

10:34AM 13 Room?

10:34AM 14 A. Yes.

10:34AM 15 Q. Explain how.

10:34AM 16 A. Because every time I went back with a customer, he would

10:34AM 17 get tipped more.

10:34AM 18 Q. By who?

10:34AM 19 A. By the customer.

10:34AM 20 Q. Is Brian giving the dance back there?

10:34AM 21 A. Nope.

10:34AM 22 Q. What service is he performing for the customer?

10:34AM 23 A. Nothing.

10:34AM 24 Q. Based on how things worked, was that tip for not

10:34AM 25 enforcing the rules?

1 A. Yes.

2 Q. For ignoring the cameras?

3 A. Yes.

4 Q. Were you the only dancer who knew that that was how it
5 worked?

6 A. No.

7 **MR. SOEHNLEIN:** Objection.

8 **THE COURT:** Sustained.

9 **BY MR. TRIPI:**

10 Q. Did you talk about that type of scenario with many other
11 dancers over a period of time?

12 A. Yes.

13 Q. Just a yes or no to that.

14 How many times would you estimate you spoke with other
15 dancers about that type of scenario?

16 A. Oh, a couple hundred.

17 Q. And how many -- and you've already talked about a couple
18 hundred or more when it happened with you directly?

19 A. Right.

20 Q. Based on all of that experience, conversations with
21 others, and your own personal experience did you form a
22 belief or opinion, just yes or no, as to the reason that
23 Brian Rosenthal was being tipped?

24 **MR. SOEHNLEIN:** Objection.

25 **MR. TRIPI:** That's been covered before.

10:35AM 1 **THE COURT:** Did she -- did she form an opinion? No,

10:35AM 2 overruled.

10:35AM 3 **BY MR. TRIPI:**

10:35AM 4 Q. You can answer.

10:35AM 5 **THE COURT:** "Yes" or "no."

10:35AM 6 **THE WITNESS:** Can you say it again?

10:35AM 7 **BY MR. TRIPI:**

10:35AM 8 Q. Just "yes" or "no": Did you form an opinion about why

10:35AM 9 Brian Rosenthal was being tipped?

10:35AM 10 A. Yes.

10:35AM 11 Q. And based on your conversations and your experiences, was

10:35AM 12 your opinion similar to other people?

10:36AM 13 A. Oh, yes.

10:36AM 14 Q. What was your opinion?

10:36AM 15 A. My opinion was that he was getting tipped over to

10:36AM 16 overlook the camera.

10:36AM 17 Q. Was there, in terms of the type of customer that would go

10:36AM 18 in the VIP and engage in those, was there anything consistent

10:36AM 19 about the type of customer, traits of the customer, that

10:36AM 20 would be permitted to engage in sex acts with you and others

10:36AM 21 in the VIP?

10:36AM 22 A. I'm not really sure.

10:36AM 23 Q. Were -- I'll rephrase it.

10:36AM 24 A. Okay. I'm sorry.

10:36AM 25 Q. That's okay. If you don't understand, sometimes I do a

10:36AM 1 poor job, just say --

10:36AM 2 A. Oh, no.

10:36AM 3 Q. -- just say rephrase your question.

10:36AM 4 A. Okay.

10:36AM 5 Q. Okay?

10:36AM 6 Did most of the men that engaged in those type of acts
10:36AM 7 with you and others, based on your observations, seem to have
10:37AM 8 a lot of money?

10:37AM 9 A. Yes.

10:37AM 10 Q. Did you ever hear a customer utter a phrase to you in the
10:37AM 11 VIP that I'm friends with Peter?

10:37AM 12 A. Yes.

10:37AM 13 Q. What was your understanding of what that meant when you
10:37AM 14 would hear that phrase?

10:37AM 15 A. To me, it meant he knows the big boss, so he thinks he
10:37AM 16 can get anything from me.

10:37AM 17 Q. Now you've observed, we've talked about oral, anal,
10:37AM 18 vaginal, and fingering, and other sex contact in the
10:37AM 19 VIP Room. When you've observed other dancers engage in that,
10:37AM 20 were those dancers that you knew?

10:37AM 21 A. Yes.

10:37AM 22 Q. Sometimes were they dancers that you didn't know?

10:37AM 23 A. Yes.

10:37AM 24 Q. Sometimes were they dancers that you worked with?

10:38AM 25 A. Yes.

1 Q. Sometimes were they dancers who you didn't know?

2 A. Of course, yeah.

3 Q. The ones that you did know, did they have serious drug
4 addictions like you?

5 A. Yes.

6 **MR. SOEHNLEIN:** Objection.

7 **THE COURT:** You objected, Mr. Soehnlein?

8 **MR. TRIPI:** I heard an objection.

9 **MR. SOEHNLEIN:** Yes, Judge. I'm sorry, I thought
10 that the response called for hearsay.

11 **THE COURT:** Yeah, sustained.

12 So the jury will strike that answer.

13 **BY MR. TRIPI:**

14 Q. Well, you've talked about doing drugs with other dancers,
15 right?

16 A. Yes.

17 Q. Some of those other dancers have shared drugs with you?

18 A. Yes.

19 Q. The ones that you shared drugs with and that gave drugs
20 to you, did they have a similar addiction to you?

21 A. Yes.

22 **MR. SOEHNLEIN:** Objection.

23 **MR. TRIPI:** Judge, it's obvious from the questions
24 and answers before it that she has a -- personal observations.

25 **THE COURT:** Addiction, no, I'm going to sustain the

objection and the jury will strike the answer.

BY MR. TRIPI:

Q. Is there anyone in your life that you've ever seen do heroin casually?

A. Yes.

Q. Okay. Some -- does that often progress to addiction?

A. Yes.

Q. Can you distinguish between someone with a heavy addiction and someone that uses it casually?

MR. SOEHNLEIN: Objection. Foundation. And I still think that it calls for hearsay.

THE COURT: No. No, overruled.

BY MR. TRIPI:

Q. Can you distinguish between a casual user and an addict?

A. Yes.

Q. How do you distinguish that? What are some things that you observe in your day-to-day life that make you make those assessments?

A. Well, someone that doesn't use every day, they don't go out -- or, let me put it this way.

Somebody who does use every single day and is in severe addiction, they need that drug that they've been taking, like, right when you wake up. You have to have it, or you will not function during the day. You cannot get out of bed. You cannot think straight. You know?

10:40AM 1 And then somebody who doesn't use it every day, they
10:40AM 2 don't really go through that. They can still work and dance
10:40AM 3 and do -- do what they need without the drug.

10:40AM 4 Q. In your experience, do most people using heroin progress
10:40AM 5 to the severe addiction very quickly?

10:40AM 6 A. Yes.

10:40AM 7 Q. Do you know D.B.?

10:40AM 8 A. Yes.

10:40AM 9 Q. Do you know what her dancer name was?

10:40AM 10 A. Kendra.

10:40AM 11 Q. Is she someone you've used drugs with at Pharaoh's?

10:40AM 12 A. Yes.

10:40AM 13 Q. What types of drugs have you used at Pharaoh's?

10:40AM 14 A. Cocaine and heroin.

10:40AM 15 Q. Based on your relationship with this dancer, Kendra, did
10:40AM 16 it seem like her use of the drug mirrored or was similar to
10:41AM 17 how you used those drugs?

10:41AM 18 A. Yes.

10:41AM 19 **MR. SOEHNLEIN:** Objection.

10:41AM 20 **THE COURT:** Yeah, hang on. You need a foundation for
10:41AM 21 that, Mr. Tripi. I don't know what that question means.

10:41AM 22 **BY MR. TRIPI:**

10:41AM 23 Q. Did she use heroin and cocaine?

10:41AM 24 A. Yes.

10:41AM 25 Q. How did you use heroin and cocaine?

10:41AM 1 A. IV.

10:41AM 2 Q. Okay. Did you use heroin in the morning?

10:41AM 3 A. Yes.

10:41AM 4 Q. Cocaine throughout the day?

10:41AM 5 A. Yes.

10:41AM 6 Q. Did you use heroin in the morning and cocaine throughout
10:41AM 7 the day sometimes with Kendra?

10:41AM 8 A. Yes.

10:41AM 9 Q. How about D.P., Kiera?

10:41AM 10 A. Yes.

10:41AM 11 Q. Was that similar to your answers that you'd have with
10:41AM 12 Kendra?

10:41AM 13 A. Yes.

10:41AM 14 **MR. SOEHNLEIN:** Objection.

10:41AM 15 **MR. TRIPI:** Now --

10:41AM 16 **MR. SOEHNLEIN:** Was that similar to which answers,
10:41AM 17 Judge?

10:41AM 18 **THE COURT:** Okay. Sustained.

10:41AM 19 Break it down, Mr. Tripi.

10:41AM 20 **BY MR. TRIPI:**

10:41AM 21 Q. Did you use cocaine and heroin with Kiera?

10:41AM 22 A. Yes.

10:41AM 23 Q. And that's D.P.?

10:42AM 24 A. Yes.

10:42AM 25 Q. And is she someone who actually when you first got there,

10:42AM 1 and I'll talk more about this later, gave you heroin?

10:42AM 2 A. Yes.

10:42AM 3 Q. So you first tried it there based on what she gave you?

10:42AM 4 A. Yes.

10:42AM 5 Q. Is she someone who developed track marks?

10:42AM 6 A. Yes.

10:42AM 7 Q. Are track marks associated commonly with heavy usage?

10:42AM 8 A. Yes.

10:42AM 9 Q. With addiction?

10:42AM 10 A. Yes.

10:42AM 11 Q. Are these foreign concepts that I'm asking you about?

10:42AM 12 A. No.

10:42AM 13 Q. Is this easy stuff for someone who's into drugs?

10:42AM 14 A. No.

10:42AM 15 Q. It's easy stuff to identify, right?

10:42AM 16 A. Oh, yes.

10:42AM 17 Q. Okay. How about A.A., did you see her use fentanyl?

10:42AM 18 A. Yes.

10:42AM 19 Q. Is that a heavy drug?

10:42AM 20 A. Yes.

10:42AM 21 Q. Was it hard for you to assess in your brain that she was

10:42AM 22 a heavy addict?

10:42AM 23 A. No.

10:42AM 24 Q. Okay. How about Megan Stabler? Did she use drugs?

10:42AM 25 A. Yes.

10:42AM 1 Q. What drugs did Megan Stabler use?

10:42AM 2 A. Cocaine.

10:42AM 3 Q. Have you used cocaine with her?

10:43AM 4 A. Yes.

10:43AM 5 Q. Have you used a lot of cocaine with her?

10:43AM 6 A. Yes.

10:43AM 7 Q. At various places in the club?

10:43AM 8 A. Yes.

10:43AM 9 Q. Based on the amount of cocaine you used with Megan

10:43AM 10 Stabler, did you form an opinion whether she had an addiction

10:43AM 11 like you?

10:43AM 12 **MR. SOEHNLEIN:** Objection.

10:43AM 13 **MR. TRIPI:** This is a clear 701 opinion.

10:43AM 14 **THE COURT:** Overruled.

10:43AM 15 **THE WITNESS:** Yes.

10:43AM 16 **BY MR. TRIPI:**

10:43AM 17 Q. What was that opinion?

10:43AM 18 A. That she has a severe addiction.

10:43AM 19 Q. To cocaine?

10:43AM 20 A. To cocaine.

10:43AM 21 Q. Was there another dancer named R.W.?

10:43AM 22 A. Yes.

10:43AM 23 Q. Did you use drugs with her?

10:43AM 24 A. Yes.

10:43AM 25 Q. What kinds of drugs did you use with her?

10:43AM 1 A. Heroin and cocaine.

10:43AM 2 Q. When you used the heroin and the cocaine, was the heroin

10:43AM 3 intravenous or did she sniff it, if you know?

10:43AM 4 A. She sniffed it.

10:43AM 5 Q. Okay.

10:43AM 6 A. Yeah.

10:43AM 7 Q. And cocaine was sniffing?

10:43AM 8 A. Yes.

10:43AM 9 Q. Was she someone who while she worked at Pharaoh's based

10:44AM 10 on your observations and interactions, used frequently?

10:44AM 11 A. Yes.

10:44AM 12 Q. Was there another dancer named M.R.?

10:44AM 13 A. Yes.

10:44AM 14 Q. Did you observe her use drugs?

10:44AM 15 A. Yes.

10:44AM 16 Q. Did you ever use with her?

10:44AM 17 A. Yes.

10:44AM 18 Q. What types of drugs did you use with her?

10:44AM 19 A. Cocaine.

10:44AM 20 Q. Was there some frequency to your using cocaine with M.R.?

10:44AM 21 Often?

10:44AM 22 A. Often.

10:44AM 23 Q. I think on Friday, you said you'd get there, and you'd

10:44AM 24 have to chase it all night long because it lasts about 15

10:44AM 25 minutes; is that right?

10:44AM 1 A. Yes.

10:44AM 2 Q. Is there another name of another dancer you thought of

10:44AM 3 more recently named J.C.?

10:44AM 4 A. Yes.

10:44AM 5 Q. Who is that?

10:44AM 6 A. That is a friend, dancer, of mine that worked at

10:44AM 7 Pharaoh's.

10:44AM 8 Q. Did you use drugs with her?

10:44AM 9 A. Yes.

10:44AM 10 Q. What kind of drugs?

10:44AM 11 A. Heroin and cocaine.

10:45AM 12 Q. At the time you were at Pharaoh's with her, when you were

10:45AM 13 using with her, did her usage appear to be heavy?

10:45AM 14 A. Yes.

10:45AM 15 Q. Do these dancers include several -- just have you

10:45AM 16 observed these dancers engage in some type of sex acts in the

10:45AM 17 VIP?

10:45AM 18 A. Yes.

10:45AM 19 Q. Are there others whose names you don't know?

10:45AM 20 A. Yes.

10:45AM 21 Q. Okay. Now I'd like to focus in on the upstairs area for

10:45AM 22 a little bit just in general terms, and then we'll get into

10:45AM 23 some specifics, okay?

10:45AM 24 Just to set the stage, and I'll get more specifics later

10:46AM 25 on, when you were first invited upstairs, were you invited

10:46AM 1 upstairs alone or with others in a group?

10:46AM 2 A. With others.

10:46AM 3 Q. Okay. And who -- who generally controlled that upstairs

10:46AM 4 area?

10:46AM 5 A. The defendant.

10:46AM 6 Q. The very first time you were up there, what activity did

10:46AM 7 you engage in?

10:46AM 8 A. Sexual acts.

10:46AM 9 Q. Did you get drugs up there?

10:46AM 10 A. Yes.

10:46AM 11 Q. Over time, have you been upstairs quite a bit?

10:46AM 12 A. Yes.

10:46AM 13 Q. Have you used drugs every time you've been up there?

10:46AM 14 A. Yes.

10:46AM 15 Q. Have you engaged in sex acts every time you've been up

10:46AM 16 there?

10:46AM 17 A. Yes.

10:46AM 18 Q. With approximately how many men?

10:46AM 19 A. It could be two at a time, or one.

10:47AM 20 Q. Okay.

10:47AM 21 A. Or do you mean overall?

10:47AM 22 Q. Overall.

10:47AM 23 A. Five or six. I think it's five.

10:47AM 24 Q. Okay.

10:47AM 25 A. Something like that.

1 Q. Did that five or six include the defendant?

2 A. Yes.

3 Q. Did the other five and six include people that you knew
4 had some relationship with the defendant?

5 A. Yes.

6 Q. We'll get into those specifics later on, okay?

7 Generally, in your mind, was there a distinction between
8 the men you engaged in the sex acts with in the downstairs
9 VIP and the Champagne Room, was there a difference in terms
10 of their relationships with people in the -- withdrawn.

11 Was there a difference between the men that you engaged
12 in sex acts with downstairs, and the ones that you did in the
13 private upstairs area of Pharaoh's?

14 A. Yes.

15 Q. What was the difference in your mind?

16 A. The difference was the customers that had a lot of money,
17 they would be the ones downstairs in the VIP Rooms. And
18 people that were real close to the defendant would be the
19 ones to go up.

20 Q. Now, in the upstairs private area that this defendant
21 controlled, were there cameras?

22 A. Upstairs?

23 Q. Yeah.

24 A. No.

25 Q. Was there a bouncer attendant monitoring the activity or

10:48AM 1 supposed to monitor the activity in the upstairs?

10:48AM 2 A. No, not upstairs.

10:48AM 3 Q. I'm just talking about the upstairs.

10:48AM 4 A. Right.

10:48AM 5 Q. Did it look, for large stretches of your time there, like
10:48AM 6 an apartment with furnishings?

10:48AM 7 A. Yes.

10:48AM 8 Q. Did you have to tip anyone out for what you did upstairs?
10:49AM 9 You tipping people out --

10:49AM 10 A. No.

10:49AM 11 Q. -- upstairs?

10:49AM 12 A. No.

10:49AM 13 Q. Every time you went up there, did you receive, drugs,
10:49AM 14 money, or a combination of the two?

10:49AM 15 A. Yes.

10:49AM 16 Q. I want to pivot for a second and get back into drugs for
10:49AM 17 a moment -- or, questions about drugs, I should say.

10:49AM 18 You indicated a moment ago the first time you tried
10:49AM 19 heroin, I think Friday you said it was a couple days after
10:49AM 20 you started working there, and a moment or so ago you
10:49AM 21 indicated the first person who gave you some was D.P., a/k/a
10:49AM 22 Kiera, correct?

10:49AM 23 A. Yes.

10:49AM 24 Q. Had she been dancing there before you?

10:49AM 25 A. Yes.

10:49AM 1 Q. Do you know how long she had been there by the time you
10:49AM 2 arrived?

10:49AM 3 A. I know it had to be at least a couple of months, could
10:49AM 4 have been longer.

10:49AM 5 Q. After getting it from her after a couple of days, did you
10:50AM 6 want to start to use it more, like, pretty quickly?

10:50AM 7 A. Yes.

10:50AM 8 Q. Through her, did you get to know somebody who would
10:50AM 9 frequent the club named Scooter?

10:50AM 10 A. Yes.

10:50AM 11 Q. Who was Scooter?

10:50AM 12 A. Scooter was some -- he was a drug dealer. He would come
10:50AM 13 in and serve the girls with drugs.

10:50AM 14 Q. What kind of drugs?

10:50AM 15 A. Cocaine and heroin.

10:50AM 16 Q. Based on your observations, did you form an opinion as to
10:50AM 17 relationships that Scooter had with various people in
10:50AM 18 Pharaoh's?

10:50AM 19 A. Yes.

10:50AM 20 Q. Did you see Scooter interact with the owner?

10:50AM 21 A. Yes.

10:50AM 22 Q. This defendant?

10:50AM 23 A. Yeah.

10:50AM 24 Q. Do you know Scooter's real name as you sit here today?

10:51AM 25 A. No.

10:51AM 1 Q. How often was Scooter at Pharaoh's?

10:51AM 2 A. He'd be there five to seven days out of the week.

10:51AM 3 Q. How did Scooter appear to be treated at Pharaoh's, to
10:51AM 4 you?

10:51AM 5 A. He was, to me, it sounded like Peter's friend, best
10:51AM 6 friend, you know, because he would get free drinks.

10:51AM 7 Q. So he was treated well?

10:51AM 8 A. Yes.

10:51AM 9 Q. Can you describe Scooter generally?

10:51AM 10 A. He is African-American. Dark skin. Kind of on the
10:51AM 11 shorter side. A little chubbier. Dark eyes.

10:51AM 12 Q. I'm going to get into it later on your first -- very
10:52AM 13 first interactions with the defendant. But for now, in the
10:52AM 14 context of discussing Scooter, did there come a point in time
10:52AM 15 where you had a conversation with the defendant and you
10:52AM 16 indicated that you were using heroin?

10:52AM 17 A. No. You worded that right, but can you ask it again?

10:52AM 18 Q. Did there come a point in time where you had some type of
10:52AM 19 interaction or conversation with the defendant, where you
10:52AM 20 indicated to the defendant that you had begun using heroin?

10:52AM 21 A. That I had been using it?

10:52AM 22 Q. That you started using it.

10:52AM 23 A. Oh, yes.

10:52AM 24 Q. Do you remember the conversation you engaged in with the
10:52AM 25 defendant?

1 A. No.

2 Q. Let me ask another question, and if -- I'll try refresh
3 your memory with a document.

4 A. Okay.

5 Q. Did there come -- did there come a point in time where --
6 let me step it back for a second.

7 If you wake up in the morning after your addiction to
8 heroin begins, and you don't have heroin, and you show up at
9 Pharaoh's, are you able to function well there and earn
10 money?

11 A. No.

12 Q. Why?

13 A. Because you're in withdrawal.

14 Q. Okay. I imagine having chills, diarrhea, vomiting, and
15 all the things that you described on Friday aren't very sexy,
16 right?

17 A. Correct.

18 Q. Not a good big market for people wanting to go in VIP
19 with someone suffering from that --

20 A. Right.

21 Q. -- is that fair?

22 A. Yes.

23 Q. Were there ever times after you started to become
24 addicted, but after you were making good money in the VIP,
25 where the defendant made comments to you, or you engaged in

10:54AM 1 conversation about his ability to help up get right for your
10:54AM 2 shift?

10:54AM 3 A. Yes.

10:54AM 4 Q. Describe that conversation to the best of your ability.

10:54AM 5 A. Okay. Let me think here, because there was a couple
10:54AM 6 different ones.

10:54AM 7 Q. All right. So you're -- I heard you mumble to yourself.
10:54AM 8 Are you filtering through a couple different conversations
10:54AM 9 you've had with the defendant about that topic?

10:54AM 10 A. Yeah.

10:54AM 11 Q. Okay.

10:54AM 12 A. I'm.

10:54AM 13 Q. Would you like something to try to refresh your
10:54AM 14 recollection?

10:54AM 15 A. Yeah, please, please, please.

10:54AM 16 **MR. TRIPI:** All right. Ms. Champoux, for the witness
10:54AM 17 only, can we pull up Exhibit 3571E, at page 1.

10:54AM 18 **BY MR. TRIPI:**

10:54AM 19 Q. It will show up on your screen.

10:54AM 20 A. Oh.

10:54AM 21 Q. And when it does, just read it to yourself, not out loud,
10:54AM 22 and then look back at me when you're done.

10:54AM 23 A. Okay. Okay.

10:56AM 24 **MR. TRIPI:** Ms. Champoux, can we pull that down?
25

10:56AM

1

BY MR. TRIPI:

10:56AM

2

Q. Did that -- yes or no -- did that refresh your

10:56AM

3

recollection as to discussions you had with the defendant

10:56AM

4

about your withdrawing?

10:56AM

5

A. Yes.

10:56AM

6

Q. Okay. As best you can, what -- what was your

10:56AM

7

conversation with the defendant? What did you say, and what

10:56AM

8

did he say?

10:56AM

9

A. I can't believe I keep losing my train of thought, and I

10:56AM

10

just read all of that.

10:56AM

11

Oh, my gosh. Can I have a second?

10:56AM

12

Q. You can have a second, sure, take a moment to think.

10:56AM

13

A. Okay. So -- so I know we had a conversation, Peter and

10:57AM

14

I, when I came in to work sick one day, I told him what was

10:57AM

15

going on.

10:57AM

16

Q. Meaning you were withdrawing from heroin?

10:57AM

17

A. Right.

10:57AM

18

Q. Okay.

10:57AM

19

A. Yeah. And he said he would help me --

10:57AM

20

Q. Okay.

10:57AM

21

A. -- and called a friend.

10:57AM

22

Q. After that, who was the friend?

10:57AM

23

A. Scooter.

10:57AM

24

Q. What happened?

10:57AM

25

A. Scooter would come to the club, give me what I need, and

10:57AM 1 him and the defendant would work it out.

10:57AM 2 Q. Okay.

10:57AM 3 A. The money situation.

10:57AM 4 Q. After that, would you be able to function and start going
10:58AM 5 in the back and doing dances in the VIP?

10:58AM 6 A. Yes.

10:58AM 7 Q. And to be clear, the defendant didn't place the heroin in
10:58AM 8 your hands; Scooter did?

10:58AM 9 A. Right. Correct.

10:58AM 10 Q. How much would you get from Scooter in that scenario that
10:58AM 11 you described to get you right in order to be able to
10:58AM 12 function during your shift?

10:58AM 13 A. I would get about a gram.

10:58AM 14 Q. Okay. Were there other times where you would need drugs
10:58AM 15 at work -- I think earlier you mentioned you would generally,
10:59AM 16 it might have been Friday, use heroin in the morning or at
10:59AM 17 the beginning of your shift, and then cocaine throughout the
10:59AM 18 shift, and then heroin sort of towards the end; is that
10:59AM 19 right?

10:59AM 20 A. Yes.

10:59AM 21 Q. When you would need cocaine throughout your shift, did
10:59AM 22 you know different people in Pharaoh's who you can go get it
10:59AM 23 from?

10:59AM 24 A. Yes.

10:59AM 25 Q. Who were some of the people you knew you could get it

10:59AM 1 from?

10:59AM 2 A. You want names?

10:59AM 3 Q. Yep.

10:59AM 4 A. Okay. So, customers. Scooter. There was Bobby Black.

10:59AM 5 Cherry.

10:59AM 6 Q. Was Cherry another dancer?

10:59AM 7 A. Yes. Rob Reed. Megan Stabler.

10:59AM 8 Q. And they ended up getting married, right?

10:59AM 9 A. Yeah.

11:00AM 10 Q. Please continue.

11:00AM 11 A. And Larry.

11:00AM 12 Q. Who is Larry?

11:00AM 13 A. Larry was somebody who came in, like, halfway while I was

11:00AM 14 working there, and he was like another manager.

11:00AM 15 Q. And how about the defendant?

11:00AM 16 A. What about him?

11:00AM 17 Q. Would you be able to get cocaine from him?

11:00AM 18 A. Yes.

11:00AM 19 Q. Would that usually have some type of transaction

11:00AM 20 surrounding it first though?

11:00AM 21 A. Yes.

11:00AM 22 Q. Okay. We'll talk about that later.

11:00AM 23 A. Okay.

11:00AM 24 Q. How about Charm. Do you know Charm?

11:00AM 25 A. I do know Charm.

1 Q. Was she someone you would be able to get cocaine from?

2 A. Yes.

3 **MR. TRIPI:** Can we pull up Government Exhibit 240L.

4 Next can we do to Government Exhibit 240F.

5 **BY MR. TRIPI:**

6 Q. Do you see those two photos sort of side by side?

7 A. Yes.

8 Q. Do you recognize some of the people in the photos?

9 A. Yes.

10 Q. Are any of the people in those photos people you could
11 get drugs from?

12 A. Yes.

13 Q. Starting with 240F, can you tap on anybody in that photo
14 that you can get drugs from? And who is that person?

15 A. Cherry.

16 Q. Did you even know her real name?

17 A. A.A.

18 Q. Okay. Anyone else in that photo on the right, 240F?

19 A. Yeah. I believe his name was Noah.

20 Q. Okay. Is that the guy who's kind of pulling up his
21 shirt?

22 A. Yes.

23 Q. Do you see Katrina in that photo?

24 A. I do.

25 Q. I don't have to tap her. Did she ever give you drugs?

11:01AM 1 A. No.

11:02AM 2 Q. Moving on to Exhibit 240L. By the way -- withdrawn.

11:02AM 3 Sticking on 240F, the photo to the right, who was Noah

11:02AM 4 associated with in the club?

11:02AM 5 A. The defendant.

11:02AM 6 Q. Okay. Did he date anybody in the club?

11:02AM 7 A. I know he was dating someone, but I don't know exactly

11:02AM 8 who --

11:02AM 9 Q. Okay.

11:02AM 10 A. -- if she was from the club.

11:02AM 11 Q. Do you know the brunette that's in the picture?

11:02AM 12 A. I don't.

11:02AM 13 Q. Okay. Let's move over to Exhibit 240L. Do you recognize

11:02AM 14 anyone in that photo that you'd be able to get drugs from

11:02AM 15 through the club?

11:02AM 16 A. Yes, Scooter.

11:02AM 17 Q. Okay. So you're indicating the person in the back row

11:02AM 18 there, second from the right, going right to left.

11:02AM 19 And the people in the forefront anyway, you're indicating

11:02AM 20 that is Scooter?

11:02AM 21 A. Yes.

11:02AM 22 Q. Anybody else that you recognize?

11:02AM 23 A. I do not. I do not.

11:02AM 24 Q. Okay.

11:02AM 25 A. That's it.

1 Q. Setting aside from drug usage, do you recognize any of
2 the other people in the photo, people that you've seen around
3 the club?

4 A. Yes.

5 Q. Can you circle their faces distinguishing it from the
6 dots? Okay. You're circling a dancer in the background?

7 A. Yep.

8 Q. And a black male in the forefront sort of crouched down
9 in the front of the picture with a tan hat; is that right?

10 A. Yes.

11 Q. So 240L includes two circles. Those are people you
12 remember seeing around the club?

13 A. Yes.

14 Q. And it includes a person with a dot on their face, you've
15 indicated is Scooter, who you can get drugs from.

16 240F, for record purposes, there's a red dot on the
17 person second from right, I guess, in the photo, first one
18 facing the camera shot, a blond female with a red dot on her
19 face who you've indicated that's Cherry or A.A. And then
20 there's a male sort of in the center left of the photo,
21 center left of the photo with a hat on, who appears to be
22 lifting up his shirt, you've indicated that was Noah, someone
23 else who was around the club that you could get -- what kind
24 of drug from?

25 A. Cocaine.

11:04AM 1 Q. Okay.

11:04AM 2 **MR. TRIPI:** We can take those down.

11:04AM 3 **BY MR. TRIPI:**

11:04AM 4 Q. All right. On Friday, I asked you some detail about
11:04AM 5 withdrawal symptoms from heroin and a sickness, right?

11:04AM 6 But I want to focus in on another part of heroin usage
11:04AM 7 that I didn't ask you about, okay?

11:04AM 8 Are you familiar with a term "nodding out?"

11:04AM 9 A. Yes.

11:04AM 10 Q. What is "nodding out?"

11:04AM 11 A. Nodding out is when you're at a point where you can
11:05AM 12 overdose.

11:05AM 13 Q. So is it associated with using too much heroin?

11:05AM 14 A. Yes.

11:05AM 15 Q. Do people call it nodding out because you basically start
11:05AM 16 falling asleep and lose control of your head?

11:05AM 17 A. Yes.

11:05AM 18 Q. Does your head sort of fall into your chest?

11:05AM 19 A. Yes.

11:05AM 20 Q. Have you nodded out at Pharaoh's from using too much
11:05AM 21 heroin?

11:05AM 22 A. Yes.

11:05AM 23 Q. Have you observed other dancers nodding out inside
11:05AM 24 Pharaoh's from using opiates?

11:05AM 25 A. Yes.

11:05AM 1 Q. What different areas inside Pharaoh's have you nodded
11:05AM 2 out?

11:05AM 3 A. At the bar, in VIP, locker room, right on the main floor,
11:06AM 4 just about everywhere.

11:06AM 5 Q. If you had to estimate how many times you've nodded out
11:06AM 6 from your heroin usage, can you estimate it, inside
11:06AM 7 Pharaoh's?

11:06AM 8 A. I would say maybe, like, 100.

11:06AM 9 Q. Would you use cocaine at times to blunt that feeling
11:06AM 10 of -- of wanting to nod out, or to keep going through your
11:06AM 11 shift?

11:06AM 12 A. Yes.

11:06AM 13 Q. How long during your shift could you go without using
11:06AM 14 heroin? Say you used it in the morning, and you got to work
11:06AM 15 and you weren't sick. How long into your shift could you go
11:06AM 16 before you started to nod out if you didn't use cocaine?

11:07AM 17 A. 30 minutes.

11:07AM 18 Q. So within 30 minutes or so, you would seek some cocaine?

11:07AM 19 A. Yeah.

11:07AM 20 Q. How long could you go before you started getting really
11:07AM 21 sick?

11:07AM 22 A. About six hours. 'Cuz, mind you, this isn't -- that
11:07AM 23 wasn't like real heroin, you know?

11:07AM 24 Q. What do you mean?

11:07AM 25 A. Like nowadays, it's not real heroin out there, it's like

11:07AM 1 fentanyl that they put in heroin. And then, so -- 'cuz

11:07AM 2 heroin, 24 hours -- you're supposed to have 24 hours where

11:07AM 3 you don't get sick if it was real.

11:07AM 4 Q. Okay?

11:07AM 5 A. But since it's mixed with fentanyl, you're still getting

11:07AM 6 sick in six hours.

11:07AM 7 Q. So you're explaining the difference in your experience

11:07AM 8 between heroin and a heroin with mixed with fentanyl?

11:07AM 9 A. Yes.

11:07AM 10 Q. So if you worked an 8 p.m. to 4 a.m. shift, you would

11:08AM 11 still need heroin in the course of that shift to not get

11:08AM 12 really sick?

11:08AM 13 A. Yes.

11:08AM 14 Q. In addition to the defendant himself and Scooter, I want

11:08AM 15 to talk about other associates of the defendant and ask

11:08AM 16 whether they've given you drugs. And then I'll get into more

11:08AM 17 specifics of the transaction later on, okay?

11:08AM 18 Do you know the defendant's brother, David?

11:08AM 19 A. Yes.

11:08AM 20 Q. Have you obtained drugs from David?

11:09AM 21 A. Yes.

11:09AM 22 Q. What kind of drugs?

11:09AM 23 A. Cocaine.

11:09AM 24 Q. Do you know an individual named Aaron?

11:09AM 25 A. Yes.

11:09AM 1 Q. Who was Aaron?

11:09AM 2 A. Aaron was, I believe, a liquor distributor. He was

11:09AM 3 somebody close to the defendant.

11:09AM 4 Q. Has that person given you drugs?

11:09AM 5 A. Yes.

11:09AM 6 Q. Now David and Aaron, when they gave you drugs, was it in

11:09AM 7 the context of an exchange for sex?

11:09AM 8 A. Yes.

11:09AM 9 Q. I'm going to ask you more details about that later, okay?

11:09AM 10 And you nodded your head, was that a yes?

11:09AM 11 A. Yes.

11:09AM 12 Q. Okay. And earlier you mentioned the name Bobby Black.

11:09AM 13 Was that someone who was a customer who would frequent

11:09AM 14 Pharaoh's?

11:09AM 15 A. Yes.

11:09AM 16 Q. Was he someone that you would get drugs from?

11:09AM 17 A. Yes.

11:09AM 18 Q. Based on your observations, have you seen that person

11:10AM 19 interact with the defendant?

11:10AM 20 A. Yes.

11:10AM 21 Q. I want to step back from Pharaoh's just for a moment and

11:10AM 22 talk about a little bit about the time period of last summer,

11:10AM 23 2023, okay?

11:10AM 24 On Friday, we talked about how you were approached by

11:10AM 25 investigators in July 2020, and you didn't know how they knew

11:10AM 1 about it or found you, but you gave an interview with them;

11:10AM 2 do you remember that?

11:10AM 3 A. Yes.

11:10AM 4 Q. And then shortly after that, within that same month, you

11:10AM 5 went into grand jury; do you remember that?

11:10AM 6 A. Yes.

11:10AM 7 Q. Okay. Just "yes" or "no" to a couple of these questions

11:10AM 8 I'd like to get through.

11:10AM 9 From 2020 to 2023, was it your understanding that the

11:11AM 10 government would take efforts to do their best to make sure

11:11AM 11 your identity remained confidential --

11:11AM 12 A. Yes.

11:11AM 13 Q. -- until trial?

11:11AM 14 A. Yes.

11:11AM 15 Q. Okay. In the summer of 2023, I won't hold you to dates,

11:11AM 16 but did law enforcement working on this case sort of

11:11AM 17 reconnect with you in order to reach out to you to say, hey,

11:11AM 18 okay, trial is coming up?

11:11AM 19 A. Yes.

11:11AM 20 Q. Okay. Did that stress you out?

11:11AM 21 A. Yes.

11:11AM 22 Q. In early August of 2023, did you have a slipup where you

11:11AM 23 ended up using cocaine?

11:11AM 24 A. Yes.

11:12AM 25 Q. Now, you had been clean for a period of time?

11:12AM 1 A. Yes.

11:12AM 2 Q. If you know, and if you can explain it, and if you can't
11:12AM 3 that's okay, but if you know, what triggered your use at that
11:12AM 4 time?

11:12AM 5 A. Stress.

11:12AM 6 Q. Just general --

11:12AM 7 A. General stress. Obviously, part of the case, you know.

11:12AM 8 Q. Okay. By that point, had you been clean from cocaine for
11:12AM 9 about two-and-a-half years?

11:12AM 10 A. Yes.

11:12AM 11 Q. I think we talked about this Friday, but is it basically
11:12AM 12 a daily struggle that you're gonna have to fight every day
11:12AM 13 for the rest of your life?

11:12AM 14 A. Yes, every day.

11:12AM 15 Q. Okay. That day in August that you sort of, that -- not
11:12AM 16 "sort of," that you did slip up using cocaine, describe what
11:12AM 17 happened that day from your perspective and what the FBI did.

11:12AM 18 A. So, I actually ended up going missing, I believe. Was
11:13AM 19 that the time?

11:13AM 20 Q. Would you like something to refresh your recollection?

11:13AM 21 A. Yes.

11:13AM 22 Q. Okay. Let me just try to do that, okay?

11:13AM 23 A. Yes.

11:13AM 24 **MR. TRIPI:** Ms. Champoux, for the witness only, can
11:13AM 25 we pull up Government Exhibit 3571AP, for the witness only.

11:13AM 1 **THE COURT:** Mr. Tripi, is this a good time for a
11:13AM 2 break?

11:13AM 3 **MR. TRIPI:** Sure, Judge.

11:13AM 4 **THE COURT:** Let's take our morning break, folks.
11:13AM 5 Please remember my instructions about not communicating about
11:13AM 6 the case with anyone including each other, and don't make up
11:13AM 7 your minds.

11:14AM 8 We'll see you back here in 15, 20 minutes.

11:14AM 9 (Jury excused at 11:14 a.m.)

11:14AM 10 **THE COURT:** Did she leave?

11:14AM 11 **MR. TRIPI:** I told her, Judge, your same admonitions
11:14AM 12 apply, not to talk to anybody, if that's sufficient.

11:14AM 13 **THE COURT:** That's terrific. Yeah. That's the only
11:14AM 14 reason I wanted to --

11:14AM 15 Anything we need to put on the record?

11:14AM 16 **MR. TRIPI:** No.

11:14AM 17 **MR. SOEHNLEIN:** No.

11:14AM 18 **THE COURT:** How much more do you have, Mr. Tripi,
11:14AM 19 with this witness?

11:14AM 20 **MR. TRIPI:** I hesitate to estimate. I would say she
11:14AM 21 will probably be one of our longest witnesses of the trial. I
11:15AM 22 would say maybe I'm halfway through.

11:15AM 23 **THE COURT:** Okay. We're not going to finish the
11:15AM 24 government's case today.

11:15AM 25 **MR. TRIPI:** I think we can if we get -- you know, we

1 only have Mr. Burns after that. If anything, Judge, it will
2 be a little bit in the morning tomorrow, but we'll be close.

3 **THE COURT:** And is the defense confident that we're
4 going to get through its case in two days?

5 **MR. FOTI:** So, we -- we've sent the list, the
6 prospective list, and we've been continuing to talk about it
7 since then. I think the reality is we're probably going to
8 make cuts and consolidate it down to -- if we can consolidate
9 it to one day, if we're calling witnesses, I don't think it's
10 going to take two.

11 **THE COURT:** You don't think it's going to take two?
12 Okay, good. Okay. Great.

13 **MR. TRIPI:** I am sort of cutting as I go, so it's
14 hard to estimate because I'm --

15 **THE COURT:** Okay. And I'm not trying to hurry
16 anyone. As I said last week is what I don't want to do is try
17 to rush anyone because of the schedule and the holidays and
18 all that kind of stuff.

19 **MR. TRIPI:** I know.

20 **THE COURT:** I don't want anyone rushing at all, you
21 do what you have to do in order to put your case in. I just
22 want to have some idea for my own planning purposes.

23 **MR. TRIPI:** Yeah, it was hard to estimate not because
24 of the Court, because I, on my own, have skipped over some --
25 so I don't know in the future outline what I'm going to skip

over.

THE COURT: Yep.

MR. COOPER: What time do you plan to break for lunch? I know you've got --

THE COURT: 12:30. I've got two matters at 12:30.

MR. COOPER: Is my matter at 12:30?

THE CLERK: Yes.

MR. COOPER: Sorry, I can't keep my own schedule.

THE COURT: That's all right.

THE CLERK: All rise.

(Off the record at 11:16 a.m.)

(Back on the record at 11:31 a.m.)

(Jury not present.)

THE CLERK: All rise.

THE COURT: Please be seated.

THE CLERK: We are back on the record for the continuation of the jury trial in case numbers 19-cr-227 and 23-cr-37, United States of America versus Peter Gerace Jr.

All counsel and parties are present.

THE COURT: Okay. Couple things.

Juror Number 2 is gonna have his stitches removed at 8:30 on Wednesday, so he may be in a few minutes late depending on how long that takes.

And the jury is also asking to have a pizza party and to wear their ugly Christmas sweatshirts/sweaters on Wednesday

1 the 18th. I see no reason to say no to that.

2 **MR. TRIPI:** I never understood ugly sweaters, but
3 other than that, I have no objection.

4 **THE COURT:** I've got one that I always thought was
5 kind of a nice sweater that people tell me is an ugly sweater.
6 Any reason to say no to that?

7 **MR. FOTI:** No, Judge, I -- just because I guess the
8 conversation we just had might be relevant, so --

9 **THE COURT:** It's conceivable we're not going on
10 Wednesday.

11 **MR. FOTI:** Well, yeah. I think tomorrow, what I was
12 going to ask for was we kind of do the same thing we had
13 talked about doing today, if the government's case finishes.
14 I know we have an argument tomorrow on the -- in terms of
15 the -- we're going to have a charge conference tomorrow, so my
16 request would be that we convey by the charge conference as
17 long as there's a little break in between whether we still
18 intend to put on the case that we're prepared to put on.
19 Because at that point, depending on how things finish up with
20 these last two witnesses, we may make a final decision after
21 talking with Mr. Gerace and whether he's going to testify and
22 evaluate where we're at that we don't intend to call
23 witnesses, in which case Wednesday we don't have -- well,
24 we're not going to have anybody to call.

25 **THE COURT:** But the government's going to be

1 finished. The charge conference is not until the end of the
2 day on Tuesday.

3 **MR. FOTI:** Yes, that's right. What I'm asking for is
4 that --

5 **THE COURT:** So you won't call anybody?

6 **MR. FOTI:** That's what I'm asking for. I'm asking
7 for sort of the same thing we were going to ask for today,
8 which is we finish up, we be given a little time to talk to
9 Mr. Gerace and evaluate where we're at, whether he's going to
10 testify and make the final decision on calling witnesses. I
11 know that means --

12 **THE COURT:** So we're down tomorrow?

13 **MR. FOTI:** We would basically be down tomorrow once
14 we finish the government's case, I expect it's going into
15 tomorrow.

16 **MR. COOPER:** Judge, if I can maybe chime in with what
17 Mr. Foti was saying?

18 We were talking about the schedule for the week
19 during for the break a little bit, Mark and I. And I don't
20 think I'm talking out of school, he'll correct me if I'm
21 wrong. It sounds like it's possible -- or, if there's gonna
22 be a defense case, it's very likely a one workday defense
23 case.

24 The other alternate is that there may be no defense
25 case. If there were to be a one workday defense case, it

1 would be Wednesday. And we would still be keeping with the
2 schedule we've currently set.

3 If there was the other alternate, which is no defense
4 case, then we would be in a position to sum on Wednesday, and
5 so we'd be ahead of schedule.

6 So I don't think anything that Mr. Foti's proposing
7 is -- it's not offensive to me, because we're either on
8 schedule or ahead of schedule.

9 **THE COURT:** Fine. Great. Okay. I get it. And then
10 I would charge on Thursday?

11 **MR. COOPER:** If we summed -- if we summed Wednesday,
12 you would charge Thursday.

13 **THE COURT:** Yeah. Which would be better. It --
14 it -- it would be better. But let's -- let's play it -- we'll
15 see how it plays out.

16 **MR. FOTI:** Yeah.

17 **THE COURT:** Correct?

18 **MR. FOTI:** And just on that possible scenario, I'm
19 assuming that ugly sweaters and pizza parties don't -- aren't
20 affected by closing arguments, but I just wanted to say that
21 we had this conversation --

22 **THE COURT:** I don't think that it's gonna change
23 their mindset in anyway, so --

24 **MR. TRIPI:** I'm wearing a suit either way.
25

11:35AM 1 **MR. FOTI:** All I know is after a few pieces of pizza,
11:35AM 2 Judge, I tune out, but I'm sure the jurors will do a better
11:35AM 3 job than I can.

11:35AM 4 **THE COURT:** Okay. We'll play it by ear. But I'll
11:35AM 5 tell them they can -- they can plan on that. Okay? Do you
11:35AM 6 have any problem with that, Mr. Foti?

11:35AM 7 **MR. FOTI:** No.

11:35AM 8 **THE COURT:** Any problem?

11:35AM 9 **MR. TRIPI:** No, Judge.

11:35AM 10 **THE COURT:** Then I'll tell Juror Number 2 to do what
11:35AM 11 he can to get it done quickly, but, you know, we'll see what
11:35AM 12 happens.

11:35AM 13 There was one other thing that I wanted to ask about.
11:35AM 14 I can't remember. Do you remember?

11:36AM 15 **THE CLERK:** I don't think you told me.

11:36AM 16 **THE COURT:** Okay. Anything else before we bring the
11:36AM 17 jury back?

11:36AM 18 **MR. COOPER:** No, Judge.

11:36AM 19 **MR. TRIPI:** No.

11:36AM 20 **MR. SOEHNLEIN:** Nothing here, Judge.

11:36AM 21 **THE COURT:** Great. Okay. Let's bring them back,
11:36AM 22 please.

11:37AM 23 (Jury seated at 11:37 a.m.)

11:37AM 24 **THE COURT:** Okay. The record will reflect that all
11:37AM 25 our jurors are present.

1 So I understand that Juror Number 2 is going to get
2 his stitches removed on Wednesday morning at 8:30. And that's
3 great. You should be here pretty close, I think, so get here
4 when you can.

5 And you folks want to have a pizza party and wear
6 ugly Christmas apparel on Wednesday, this coming Wednesday.
7 We see no reason why you can't do that. So you can.

8 As I told the lawyers, I had a sweater that I thought
9 was a very nice water, and one of my kids asked to borrow it
10 to wear to an ugly Christmas sweater party. I was very
11 offended, I thought it was a very nice sweater.

12 I remind the witness she's still under oath.

13 Mr. Tripi, you may continue.

14 **MR. TRIPI:** Thank you, Your Honor.

15 **BY MR. TRIPI:**

16 Q. I was getting my numbers and letters wrong earlier.
17 We're going to pull up on the screen next to you
18 Exhibit 3571H. It's for you only to read at this point.

19 Please read it to yourself. If you need us to switch
20 pages, let us know that as well, and we'll get through the
21 document. And then we'll have you see if it refreshes your
22 memory, okay?

23 A. Okay.

24 Q. Do you need another page? Or was that enough to refresh
25 your memory?

11:40AM 1 A. That's enough.

11:40AM 2 **MR. TRIPI:** Okay. We can take that down,

11:40AM 3 Ms. Champoux.

11:40AM 4 **BY MR. TRIPI:**

11:40AM 5 Q. Did that, reviewing page one of Exhibit 3571H, did that

11:40AM 6 refresh your recollection as to the circumstances of

11:40AM 7 August 2nd, 2023?

11:40AM 8 A. Yes.

11:40AM 9 Q. Okay. Did you miss a trial preparation meeting with the

11:40AM 10 U.S. Attorney's Office that day?

11:40AM 11 A. Yes.

11:40AM 12 Q. On that day, did you go and use cocaine?

11:40AM 13 A. Yes.

11:40AM 14 Q. Did the FBI or members of the FBI task force,

11:40AM 15 specifically special agent -- or, excuse me, Task Force

11:40AM 16 Officer Rondon, he was the same one who had found you in

11:40AM 17 Pennsylvania in 2020, right?

11:40AM 18 A. Yes.

11:40AM 19 Q. Did he and a couple of others including Special Agent

11:41AM 20 Butera with the FBI, did they go looking for you?

11:41AM 21 A. Yes.

11:41AM 22 Q. Did they find you somewhere?

11:41AM 23 A. Yes.

11:41AM 24 Q. Where did they find you, just generally?

11:41AM 25 A. Inside a drug house.

11:41AM 1 Q. On the West Side of Buffalo?

11:41AM 2 A. Yeah.

11:41AM 3 Q. Did you have a little bit of cocaine on you?

11:41AM 4 A. Yes.

11:41AM 5 Q. Did they arrest you and charge you with that cocaine?

11:41AM 6 A. No.

11:41AM 7 Q. What did they do?

11:41AM 8 A. They took me to get help.

11:41AM 9 Q. Did they take you to ECMC?

11:41AM 10 A. Yes.

11:41AM 11 Q. Did you sit there with them for hours?

11:41AM 12 A. Hours, yes.

11:41AM 13 Q. Okay. And you never got prosecuted for that little bit

11:41AM 14 of cocaine, right?

11:41AM 15 A. Correct.

11:41AM 16 Q. Did they then take you to a hotel and get you a hotel

11:41AM 17 room out in Amherst, New York?

11:41AM 18 A. Yes.

11:41AM 19 Q. Did the FBI house you at a local hotel from August 2nd to

11:42AM 20 August 4th, and then again from August 7 to August 14th --

11:42AM 21 A. Yes.

11:42AM 22 Q. -- of 2023?

11:42AM 23 A. Yes.

11:42AM 24 Q. Is it your understanding that that was done to keep you

11:42AM 25 in a safe location, and in a safe room?

11:42AM 1 A. Yes.

11:42AM 2 Q. As time went on, just "yes" or "no," did the trial, this
11:42AM 3 case, get adjourned?

11:42AM 4 A. Yes.

11:42AM 5 Q. Did the amount of housing assistance in terms of living
11:42AM 6 in a safe location, did the amount of your -- of time that
11:42AM 7 you would need to be housed, did it extend?

11:42AM 8 A. Yes.

11:42AM 9 Q. Did the FBI, in order to house you in a safe location,
11:42AM 10 provide payments to house you -- to help house you in a safe
11:42AM 11 location?

11:42AM 12 A. Yes.

11:42AM 13 Q. I don't want to get into specifics of where you were, but
11:43AM 14 was it hotel room, and then AirBNB, and then apartment-type
11:43AM 15 situation?

11:43AM 16 A. Yes.

11:43AM 17 Q. Are we talking, like, the Ritz Carlton, super glamorous
11:43AM 18 places?

11:43AM 19 A. No.

11:43AM 20 Q. Okay. Nevertheless, were they clean, safe rooms for you
11:43AM 21 to live in?

11:43AM 22 A. Yeah.

11:43AM 23 Q. Did your child ultimately, your younger kid, also go with
11:43AM 24 you?

11:43AM 25 A. Yes.

11:43AM 1 Q. Did you have a fiancé who went with you as well?

11:43AM 2 A. Yes.

11:43AM 3 Q. Over time, did you need to drive back and forth also to

11:43AM 4 Cuba, New York, to visit your other child?

11:43AM 5 A. Yes.

11:43AM 6 Q. Did you need a vehicle to get yourself to court

11:43AM 7 appearances as necessary, or trial preparation meetings with

11:43AM 8 the government?

11:43AM 9 A. Yes.

11:43AM 10 Q. Were you provided with gas cards or money for gas?

11:44AM 11 A. Yes.

11:44AM 12 Q. At times, when you had no food, did the FBI help you get

11:44AM 13 food?

11:44AM 14 A. Yes.

11:44AM 15 Q. When your vehicle was totaled, did the FBI help you with

11:44AM 16 that?

11:44AM 17 A. Yes.

11:44AM 18 Q. Did you basically get in a car accident driving to go

11:44AM 19 visit your other child?

11:44AM 20 A. Yes.

11:44AM 21 Q. Did they help you pay for your insurance to make sure you

11:44AM 22 kept a car on the road?

11:44AM 23 A. Yes.

11:44AM 24 Q. Now this is all happening, these -- these payments that

11:44AM 25 the FBI is making are happening from 2023, the summer of

11:44AM 1 2023 --

11:44AM 2 A. Correct.

11:44AM 3 Q. -- is when it began, correct?

11:44AM 4 A. Yes.

11:44AM 5 Q. And was the trial supposed to happen that summer?

11:44AM 6 A. Yes.

11:44AM 7 Q. And now between 2020 and 2023, there were no payments or

11:45AM 8 anything like that, correct?

11:45AM 9 A. Correct.

11:45AM 10 Q. No assistance provided?

11:45AM 11 A. No.

11:45AM 12 Q. Did you seek treatment, additional treatment during that

11:45AM 13 time, and did the FBI help connect you with various service

11:45AM 14 providers to help you with various treatment issues --

11:45AM 15 A. Yes.

11:45AM 16 Q. -- that you felt you needed?

11:45AM 17 A. Yes.

11:45AM 18 Q. In 2020, when you were first approached by Task Force

11:45AM 19 Officer Rondon, and then testified in grand jury a short time

11:45AM 20 later, had any -- had any of those things happened? Had any

11:45AM 21 housing assistance been provided, or any type of assistance?

11:45AM 22 A. No.

11:45AM 23 Q. Okay. Have you also tried to get your life on a better

11:45AM 24 track?

11:45AM 25 A. Yes.

11:45AM 1 Q. I think we talked a little bit about it in the beginning.

11:45AM 2 What have you done during this time to also try to get

11:46AM 3 yourself on track?

11:46AM 4 A. So far, I've been keeping up with my mental health, which

11:46AM 5 is the biggest thing. My substance use. I still go on a

11:46AM 6 daily to keep me clean.

11:46AM 7 I also got a certified peer advocate certification, so

11:46AM 8 now I can help other addicts hopefully. And it will help me,

11:46AM 9 too, as well.

11:46AM 10 Q. Have things still been hard for you in life?

11:46AM 11 A. Yes.

11:46AM 12 Q. During the course of time, when you were waiting to

11:46AM 13 testify, have there been times when you've gotten frustrated

11:46AM 14 with the FBI and waiting?

11:46AM 15 A. Yes.

11:46AM 16 Q. Has that seeped into some of your text messages with

11:46AM 17 them?

11:46AM 18 A. Yes.

11:46AM 19 Q. Okay. Are you sitting there lying and making stuff up

11:47AM 20 for this jury because of assistance the FBI provided you in

11:47AM 21 2023 leading up to this trial?

11:47AM 22 A. No.

11:47AM 23 Q. Are you telling the truth?

11:47AM 24 A. Yes.

11:47AM 25 Q. Did you tell the truth in your first interview and in

11:47AM 1 grand jury?

11:47AM 2 A. Yes.

11:47AM 3 Q. Has anything the FBI has done impact your testimony?

11:47AM 4 A. No. Like, not in a negative way, you know what I mean?

11:47AM 5 Q. You're not making things up because the FBI helped you,

11:47AM 6 right?

11:47AM 7 A. No. No, no, no, no.

11:47AM 8 Q. All right. I want to get back to your beginnings at

11:48AM 9 Pharaoh's now, specifically back to the beginning of meeting

11:48AM 10 the defendant.

11:48AM 11 How did you meet this defendant after starting work at

11:48AM 12 Pharaoh's?

11:48AM 13 A. I had met him through Kiera.

11:48AM 14 Q. Is that D.P.?

11:48AM 15 A. Yes.

11:48AM 16 Q. Is she the first one who gave you heroin in the club?

11:48AM 17 A. Yes.

11:48AM 18 Q. Where were you within the club when you first met the

11:48AM 19 defendant?

11:48AM 20 A. At the bar.

11:48AM 21 Q. Was it shortly after you started?

11:48AM 22 A. Yes.

11:48AM 23 Q. Describe your initial interactions with him at the bar.

11:48AM 24 A. I go to the bar, talk to him. We have a drink while

11:48AM 25 we're talking. And the defendant points out a customer, and

11:48AM 1 says he's a good one, you want to go in the back room with
11:49AM 2 him, and he will hook you up.
11:49AM 3 Q. Do you remember who that customer was?
11:49AM 4 A. Wayne van Vleet.
11:49AM 5 Q. Okay. I want to dive into that conversation a little bit
11:49AM 6 more, okay?
11:49AM 7 A. Okay.
11:49AM 8 Q. Can you describe Wayne van Vleet's physical appearance?
11:50AM 9 A. 6 feet tall, at least. He's got, like, light orange
11:50AM 10 hair-ish. He's very on the bigger side. Always wears khaki
11:50AM 11 pants and a green shirt.
11:50AM 12 Q. Okay. We're going to show you what's in evidence as
11:50AM 13 Government Exhibit 558. Do you recognize that individual?
11:50AM 14 A. Yes.
11:50AM 15 Q. Who is that?
11:50AM 16 A. That is Wayne.
11:51AM 17 Q. Okay. So was it this defendant who first pointed out
11:51AM 18 Wayne to you?
11:51AM 19 A. Yes.
11:51AM 20 Q. Was this at a point in time after you had started using
11:51AM 21 drugs inside Pharaoh's?
11:51AM 22 A. Yes.
11:51AM 23 Q. When the defendant pointed out Wayne to you, do you
11:51AM 24 remember exactly what he said?
11:51AM 25 A. He did say he likes to pull hair and finger people.

11:51AM 1 So that's basically when I knew what was gonna go on back
11:51AM 2 there.

11:51AM 3 Q. Did the defendant tell you anything about what Brian
11:51AM 4 would or wouldn't do if you went in the VIP with Wayne?

11:51AM 5 A. Yes. He's --

11:51AM 6 Q. What did the defendant say in that regard?

11:51AM 7 A. He said that Brian would overlook the camera.

11:51AM 8 Q. What did you understand "Brian would overlook the camera"
11:52AM 9 to mean?

11:52AM 10 A. That Wayne can do what he wants to me, and I'm not being
11:52AM 11 watched.

11:52AM 12 Q. Based on what the defendant said to you, did you approach
11:52AM 13 Wayne?

11:52AM 14 A. Yes.

11:52AM 15 Q. Did you approach Wayne because you thought he was gonna
11:52AM 16 pay a lot of money?

11:52AM 17 A. Yes.

11:52AM 18 Q. Based on your conversation with the defendant, was it
11:52AM 19 clear to you he wanted you to approach Wayne?

11:52AM 20 A. Yes.

11:52AM 21 Q. So describe what you did next.

11:52AM 22 A. I went in the back with him.

11:52AM 23 Q. With Wayne?

11:52AM 24 A. With Wayne.

11:52AM 25 Q. Describe what happened that first time in the back with

11:52AM 1 Wayne.

11:52AM 2 A. He got the Champagne Room, so it was a full half hour.

11:52AM 3 He tipped the VIP first.

11:52AM 4 Q. -- who was --

11:52AM 5 A. Took me back.

11:52AM 6 Q. -- who was the VIP?

11:52AM 7 A. Brian.

11:52AM 8 Q. Okay.

11:53AM 9 A. And we went back, and did the dances, and he ended up

11:53AM 10 fingering me and pulling my hair and ejaculating in his

11:53AM 11 pants.

11:53AM 12 Q. Was that during that 30-minute Champagne Room dance?

11:53AM 13 A. Yes.

11:53AM 14 Q. Did anyone barge in and stop him when he pulled your

11:53AM 15 hair?

11:53AM 16 A. No.

11:53AM 17 Q. Did anyone barge in and stop him when he was fingering

11:53AM 18 you?

11:53AM 19 A. No.

11:53AM 20 Q. How did you know he ejaculated?

11:53AM 21 A. His pants were all wet, and I was sticky.

11:53AM 22 Q. How many Champagne Room dances did he buy that day, if

11:53AM 23 you remember?

11:53AM 24 A. With me, one.

11:53AM 25 Q. Okay. Did he tip you as well --

11:54AM 1 A. Yes.

11:54AM 2 Q. -- as pay the fee?

11:54AM 3 A. Yes.

11:54AM 4 Q. Do you remember what he tipped you?

11:54AM 5 A. \$100.

11:54AM 6 Q. Are you estimating?

11:54AM 7 A. Yes.

11:54AM 8 Q. Did you see him walk over to the VIP attendant?

11:54AM 9 A. Yes.

11:54AM 10 Q. Do you know whether or not he tipped the VIP attendant
11:54AM 11 based on your observations?

11:54AM 12 A. Yeah. I seen him tip before we even went back.

11:54AM 13 Q. So the tip to Brian was first?

11:54AM 14 A. Yes.

11:54AM 15 Q. Did you see how much money was exchanged?

11:54AM 16 A. I think -- I'm just guessing, but I think Brian was 50,
11:54AM 17 and then I was \$100, the tips.

11:54AM 18 **MR. SOEHNLEIN:** Your Honor, object to her response
11:54AM 19 the last question.

11:54AM 20 **THE COURT:** Sustained.

11:54AM 21 **MR. TRIPI:** Okay. We --

11:54AM 22 **THE COURT:** And the jury will strike what she was
11:54AM 23 just guessing about.

11:54AM 24 **BY MR. TRIPI:**

11:54AM 25 Q. Okay. You can't guess at the amount. Do you know

11:54AM 1 exactly how much he tipped Brian? That's a "yes" or "no."

11:54AM 2 A. No.

11:55AM 3 Q. Okay. Did you see him provide money to Brian before you

11:55AM 4 went back in the VIP with him?

11:55AM 5 A. Yes.

11:55AM 6 Q. Over the course of your time at Pharaoh's, after that

11:55AM 7 first time the defendant pointed out Wayne to you, told you

11:55AM 8 to go in the VIP with him, that he's going to finger you and

11:55AM 9 pull your hair, and that Brian will overlook the cameras, how

11:55AM 10 many more times did that same scenario play out between you

11:55AM 11 and Wayne van Vleet at Pharaoh's?

11:55AM 12 A. Too many to count.

11:55AM 13 Q. Did Wayne put his fingers in you and fondle you every

11:55AM 14 time?

11:55AM 15 A. Yes.

11:55AM 16 Q. Did he pull your hair every time?

11:55AM 17 A. Yes.

11:55AM 18 Q. Did he come to ejaculation every time?

11:55AM 19 A. Yes.

11:55AM 20 Q. Did you have to clean up every time?

11:55AM 21 A. Yes.

11:55AM 22 Q. Did he have to leave and walk right by the VIP and go to

11:56AM 23 the bathroom?

11:56AM 24 A. Yes.

11:56AM 25 Q. When your boss told you to take Wayne in the VIP, did you

11:56AM 1 think it was an option?

11:56AM 2 A. No.

11:56AM 3 Q. If you weren't heavily addict to heroin and cocaine,

11:56AM 4 would you have taken this guy in the back and done that stuff

11:56AM 5 with him?

11:56AM 6 A. No.

11:56AM 7 Q. Would you ever do that in a million years?

11:56AM 8 A. No.

11:56AM 9 Q. Were there cameras right above you in the room every

11:56AM 10 time?

11:56AM 11 A. Yes.

11:56AM 12 Q. Did anyone ever stop Wayne?

11:57AM 13 A. Nope.

11:57AM 14 Q. As you understood it, was Wayne a big spender in the

11:57AM 15 club?

11:57AM 16 A. Yes.

11:57AM 17 Q. What do people call the big spenders in the club?

11:57AM 18 A. Good customers.

11:57AM 19 Q. Have you ever heard the term "whale?"

11:57AM 20 A. No.

11:57AM 21 Q. Okay. Good customers?

11:57AM 22 A. Um-hum.

11:57AM 23 Q. Was Wayne considered a good customer?

11:57AM 24 A. Yes.

11:57AM 25 Q. What did you -- what, if anything, did you believe would

11:57AM 1 happen if, when the defendant pointed Wayne out to you and
11:57AM 2 basically said take him in the back, what do you think would
11:57AM 3 have happened if you said no, not gonna do that?

11:57AM 4 **MR. SOEHNLEIN:** Objection?

11:57AM 5 **THE COURT:** Sustained.

11:57AM 6 **BY MR. TRIPI:**

11:58AM 7 Q. What, if anything, did you fear if you said no to the
11:58AM 8 defendant about going in the back with Wayne?

11:58AM 9 **MR. SOEHNLEIN:** Objection.

11:58AM 10 **THE COURT:** No, overruled.

11:58AM 11 **THE WITNESS:** I would fear that I wouldn't be a
11:58AM 12 favorite anymore. I wouldn't be able to get on stage as much
11:58AM 13 as I did. Maybe not even get another job after that because
11:58AM 14 he knows a lot of people.

11:58AM 15 **BY MR. TRIPI:**

11:58AM 16 Q. What do you mean by maybe not get on stage? Explain that
11:58AM 17 for the jury.

11:58AM 18 A. So, on stage, there's a rotation for all the girls that
11:58AM 19 get to go up. And sometimes they skip the rotation just to
11:58AM 20 put the better girl up because they're a favorite. And
11:59AM 21 that's, like, the best way I can explain it.

11:59AM 22 Q. Do you make money on stage?

11:59AM 23 A. Yes.

11:59AM 24 Q. If you don't go on stage, do you make less money?

11:59AM 25 A. Right.

11:59AM 1 Q. If you go on stage once a night versus three times a
11:59AM 2 night, is that less money?

11:59AM 3 A. Yes.

11:59AM 4 Q. If you go on stage zero times versus three times a night,
11:59AM 5 is that no money from the stage?

11:59AM 6 A. Yes.

11:59AM 7 Q. Did you think you might even possibly be fired?

11:59AM 8 A. Yes.

11:59AM 9 Q. Near the first time you interacted with the defendant,
12:00PM 10 did you do cocaine with him in the downstairs office?

12:00PM 11 A. Yes.

12:00PM 12 Q. Is that a place you'd done cocaine with him after that
12:00PM 13 many times?

12:00PM 14 A. Yes.

12:00PM 15 Q. Near the time you did cocaine with the defendant in the
12:00PM 16 downstairs office, did there come a point in time where you
12:00PM 17 had a discussion with this defendant where he asked you if
12:00PM 18 you'd be willing to meet with men outside of Pharaoh's?

12:00PM 19 A. Yes.

12:00PM 20 Q. Describe that conversation for the jury.

12:00PM 21 A. The defense asked me if I would be willing to go on dates
12:01PM 22 outside of Pharaoh's. And that means basically you go out to
12:01PM 23 dinner, get dressed up and, you know, sexual acts after that.

12:01PM 24 Q. When the defendant first mentioned that to you, had you
12:01PM 25 ever done that before?

12:01PM 1 A. No.

12:01PM 2 Q. Did you tell him you'd never done that before?

12:01PM 3 A. Yes.

12:01PM 4 Q. How did he respond to that?

12:01PM 5 A. Nonchalantly. Just like he could teach me how to do it

12:01PM 6 real quick, like no big deal.

12:01PM 7 Q. After he brought that topic up with you, what did you say

12:02PM 8 to him?

12:02PM 9 A. I said I would be willing to try. Not right away. I

12:02PM 10 know at first I said let me think about it. Then I'd be

12:02PM 11 willing to try when I had --

12:02PM 12 Q. In between you telling him let me think about it, did you

12:02PM 13 go back and speak to another dancer?

12:02PM 14 A. Yes.

12:02PM 15 Q. Who was that?

12:02PM 16 A. D.P.

12:02PM 17 Q. Okay. Did you and D.P. discuss whether you would try do

12:02PM 18 it together?

12:02PM 19 A. Yes.

12:02PM 20 Q. Were you and D.P. both using heroin heavily by that

12:02PM 21 point?

12:02PM 22 A. Yes.

12:02PM 23 Q. Did you and D.P. re-approach the defendant and indicate

12:02PM 24 you would be willing?

12:02PM 25 A. Yes.

1 Q. Describe that discussion, where you indicated you would
2 be willing to try.

3 A. We told the defendant we'd be willing to try for a
4 certain amount of money.

5 Q. What was the amount of money that you said?

6 A. Two grand. So one for her, one for me.

7 Q. What did the defendant say?

8 A. He said he would make it happen.

9 Q. After that, did he set you and D.P. up on a date with
10 somebody?

11 A. Yes.

12 Q. Describe how he did that.

13 A. He gets ahold of the person. The person then contacts us
14 if he's not already in the club.

15 Q. I'm asking about this specific situation. How did he do
16 it? How did it go?

17 A. Oh, my God. Do you have something to refresh me?

18 **MR. TRIPI:** Can we pull up for the witness only
19 Government Exhibit 3571AA, please?

20 **BY MR. TRIPI:**

21 Q. Take a moment, read this to yourself, see if that
22 refreshes your memory.

23 We'll go to the next page. So we're looking at page 2 of
24 that exhibit?

25 A. Yes.

12:04PM 1 Q. Is the print large enough for you to read?

12:04PM 2 A. Yes.

12:04PM 3 Q. Okay. Take a moment, take your time, look at that. When
12:04PM 4 you're done, look back at me, please.

12:05PM 5 A. Okay.

12:05PM 6 Q. Did that help refresh your recollection as to the

12:05PM 7 sequence of events and conversations you had with the

12:06PM 8 defendant surrounding him setting you up with a man to go

12:06PM 9 outside of Pharaoh's to engage in prostitution?

12:06PM 10 A. Yes.

12:06PM 11 **MR. TRIPI:** Okay. We can take that down,

12:06PM 12 Ms. Champoux.

12:06PM 13 **BY MR. TRIPI:**

12:06PM 14 Q. Can you tell the jury what happened in that regard?

12:06PM 15 A. After -- after the date, right?

12:06PM 16 Q. No, we -- I haven't even asked you about the date yet.

12:06PM 17 How did it get set up? Can you go through the discussions

12:06PM 18 and how it got set up, please?

12:06PM 19 A. Oh, okay. It got set up through obviously me and D.P..

12:06PM 20 we didn't talk to the person, Peter set it up. And then

12:06PM 21 eventually we talked to the person.

12:06PM 22 Q. Did this person, this man, do you remember the guy's

12:06PM 23 name?

12:06PM 24 A. I don't.

12:06PM 25 Q. Did he come into Pharaoh's?

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1 A. Yeah.

2 Q. Who arranged that part of it?

3 A. I'm not sure if he just came in to come in, or if he was

4 someone who always came in. I have never -- I never seen

5 him.

6 Q. After you talked to the defendant about this situation,

7 and then it was arranged for you and D.P. to go on a date

8 with him, is that when he came into Pharaoh's?

9 A. Yes.

10 Q. If you recall, did the defendant set that part of it up,

11 the initial meeting?

12 A. Yes.

13 Q. Did you and D.P. then go somewhere with that man?

14 A. Yes.

15 Q. Do you remember anything about him? What he did for a

16 living or anything, this man?

17 A. No, I don't know what he did for a living. I can just

18 recall what he looked like a little bit.

19 Q. What did he look like as best you can recall?

20 A. Somewhere in his 40s. He was tall, dark hair, dark eyes,

21 light skinned. He was Caucasian.

22 Q. Did you get in a vehicle with him?

23 A. Yes.

24 Q. Do you remember what kind of vehicle?

25 A. No.

12:08PM 1 Q. Did he take you and D.P. a/k/a Kiera somewhere?

12:08PM 2 A. Yes.

12:08PM 3 Q. Where did he take you?

12:08PM 4 A. We went to The Chop House.

12:08PM 5 Q. Is that a restaurant near downtown Buffalo here?

12:08PM 6 A. Yes.

12:08PM 7 Q. Is that a fancy restaurant?

12:08PM 8 A. Yes.

12:08PM 9 Q. Were you dressed up?

12:08PM 10 A. Yes.

12:08PM 11 Q. Was D.P. dressed up?

12:08PM 12 A. Yes.

12:08PM 13 Q. As the dinner progressed, did you talk about a price for

12:08PM 14 sex?

12:08PM 15 A. Yes.

12:08PM 16 Q. What happened after the dinner?

12:08PM 17 A. After the dinner, we never -- we never got paid, because

12:08PM 18 he agreed and then didn't. Didn't agree to the money.

12:08PM 19 I don't know if the guy thought -- he meant a thousand

12:08PM 20 for both of us, but we wanted a thousand each.

12:08PM 21 Q. Okay. Did he take you back to Pharaoh's?

12:09PM 22 A. Yes.

12:09PM 23 Q. Eventually, did you talk to Gerace and explain that it

12:09PM 24 didn't happen?

12:09PM 25 A. Yes.

1 Q. Do you remember his reaction at that time?

2 A. Yeah. He just said he could set us up again with someone
3 else if we wanted.

4 Q. Separate and apart from that, did you have a conversation
5 with D.P. where she talked about being set up on her own date
6 for prostitution?

7 A. Yes.

8 **MR. SOEHNLEIN:** Objection. Hearsay, Judge.

9 **MR. TRIPI:** We can argue this one at the bench,
10 Judge.

11 **THE COURT:** Sure, come up.

12 **MR. TRIPI:** Thank you.

13 (Sidebar discussion held on the record.)

14 **MR. TRIPI:** My argument is it's a coconspirator
15 statement at that point, Your Honor. D.P. is a fellow dancer
16 in the club.

17 **THE COURT:** She's a --

18 **MR. TRIPI:** She's a fellow dancer in the club. She's
19 distributed L.L. heroin. She was part of the first
20 interaction with Gerace and L.L. where he was setting them up
21 on date to go with this man as she's just indicated.

22 **THE COURT:** She's a victim.

23 **MR. TRIPI:** Well, victims can also be coconspirators,
24 Your Honor, and --

25 **THE COURT:** She can be a coconspirator in a drug

1 conspiracy. I'm not so sure about the -- the sex-trafficking
2 part.

3 **MR. TRIPI:** I don't think that, in order to be
4 relevant, we have to put the coconspirator statement in a
5 particular box or bucket. It doesn't -- it doesn't need to
6 relate to a charged conspiracy, although both are. It can be
7 any conspiracy as long as it's in furtherance of some
8 conspiracy. I would posit to you that we have both here, and
9 so --

10 **THE COURT:** I have a hard time conceptualizing what
11 linked him --

12 **MR. TRIPI:** So basically --

13 **THE COURT:** -- to the conspiracy, it can be a
14 coconspirator -- I mean, the whole point is that he's
15 overcoming the will of these people, how does that jibe
16 with --

17 **MR. TRIPI:** In the sex trafficking world, you heard
18 from Rebecca Bender there are some times where they use other
19 victims to further victimize victims. They call them --

20 **THE COURT:** I don't recall.

21 **MR. COOPER:** I mean, Mr. Cooper has prosecuted people
22 in the victim/coconspirator locally for this exact same crime
23 and been convicted in federal court.

24 **THE COURT:** I don't think this comes in. So the
25 objection is sustained.

12:11PM 1 (End of sidebar discussion.)

12:11PM 2 **THE COURT:** The objection is sustained.

12:11PM 3 Next question, please.

12:11PM 4 **BY MR. TRIPI:**

12:11PM 5 Q. Talking about D.P., did she also have a boyfriend who
12:11PM 6 frequented Pharaoh's at the time, who she would also help you
12:12PM 7 get -- she would get and give heroin to you through this
12:12PM 8 boyfriend who would come to Pharaoh's?

12:12PM 9 A. Yes.

12:12PM 10 Q. Excuse me, I -- do you remember his name or nickname?

12:12PM 11 A. Red.

12:12PM 12 Q. Okay. Was Red, like, a play on his hair color or
12:12PM 13 something?

12:12PM 14 A. I think so, yeah.

12:12PM 15 **MR. TRIPI:** Okay. For the witness only, can we show
12:12PM 16 her Government Exhibit 3571P, please? P as in pizza. Can we
12:12PM 17 zoom in on it?

12:12PM 18 **BY MR. TRIPI:**

12:12PM 19 Q. Do you recognize an individual depicted in Government
12:12PM 20 Exhibit 3571P?

12:12PM 21 A. Yes.

12:12PM 22 Q. Do you recognize an individual you know as Red in that
12:13PM 23 photo?

12:13PM 24 A. Yes.

12:13PM 25 Q. Does it fairly and accurately depict Red's appearance as

1 you recall him during the time that you were a dancer at
2 Pharaoh's?

3 A. Yes.

4 **MR. TRIPI:** The Government Exhibit offers 3571P,
5 Your Honor.

6 **MR. SOEHNLEIN:** No objection, Judge.

7 **THE COURT:** Received without objection.

8 **(GOV Exhibit 3571P was received in evidence.)**

9 **MR. TRIPI:** If you can just publish that for the
10 jury, please.

11 **BY MR. TRIPI:**

12 Q. All right. Do you see a group of guys in that photo
13 there?

14 A. Yes.

15 Q. Can you tap on Red, please?

16 **MR. TRIPI:** Okay. May the record reflect she's put a
17 red mark on the person second in the photo going from right to
18 left wearing all black with, would that be fair to say, red
19 hair?

20 A. Yeah.

21 **MR. TRIPI:** Okay. Okay. We can take that down.

22 **BY MR. TRIPI:**

23 Q. Did D.P. also get heroin from Scooter?

24 A. Yes.

25 Q. All right. We've touched on the upstairs a couple times

1 at this point. I'd like to get more specific, okay?

2 In the upstairs, what types of drugs if any have you seen
3 this defendant use?

4 A. Cocaine.

5 Q. What types of drugs have you seen the defendant
6 distribute?

7 A. Cocaine.

8 Q. Did that happen frequently during your tenure at
9 Pharaoh's?

10 A. Yes.

11 Q. Sometimes when you went upstairs, were you alone?

12 A. Yes.

13 Q. Other times, were you with other dancers?

14 A. Yes.

15 Q. At times, were you with other dancers and the defendant
16 and several -- several of his friends?

17 A. Yes.

18 Q. Now do you know the names of all of his friends that you
19 went up there with?

20 A. Yes.

21 Q. Does that include Aaron who you spoke about earlier?

22 A. Aaron.

23 Q. Who else did that include?

24 A. David. The defendant. Rob Reed. What's the other one?

25 Hang on. I can't think of the last one, I'm sorry, I'm

12:15PM 1 trying to think.

12:15PM 2 Q. Do you have another male in your head that you just can't

12:15PM 3 think of right now?

12:15PM 4 A. Right, yeah. That's the problem.

12:15PM 5 Q. When you would go upstairs with the defendant and with

12:15PM 6 other dancers, did you see them use drugs as well?

12:16PM 7 A. Yes.

12:16PM 8 Q. Who was the drug supplier in the upstairs?

12:16PM 9 A. The defendant.

12:16PM 10 Q. I'm going to show you one photo that's in evidence.

12:16PM 11 **MR. TRIPI:** We're going to look at Government Exhibit

12:16PM 12 235-A-35. And can we put it side by side actually with

12:16PM 13 235-A-36.

12:16PM 14 **BY MR. TRIPI:**

12:16PM 15 Q. Now, in the upstairs, was there a bathroom?

12:16PM 16 A. Yes.

12:16PM 17 Q. Looking at 235-A-36 on the right of your screen, does

12:16PM 18 that look like the bathroom you recall?

12:16PM 19 A. Yes.

12:16PM 20 Q. Looking at 235-A-35, does that look like a room that's at

12:17PM 21 the end of a hallway?

12:17PM 22 A. Yes.

12:17PM 23 Q. Over time, was there more furniture up there?

12:17PM 24 A. Yes.

12:17PM 25 Q. Okay. So this looks like little different in terms of

1 the furnishings that are left in there?

2 A. Yeah. Yes.

3 Q. Okay. I want to ask you about the first time the

4 defendant invited you upstairs. Was it this defendant who

5 invited you up?

6 A. Yes.

7 **MR. TRIPI:** Can we take those photos down?

8 **BY MR. TRIPI:**

9 Q. At the time he first invited you up, were you, by that
10 point in your time at Pharaoh's, heavily addicted to heroin
11 and cocaine?

12 A. Yes.

13 Q. When he invited you upstairs that first time, were you
14 alone or with another dancer, if you recall?

15 A. I don't remember if I was alone the first time.

16 Q. Okay. Do you remember what -- how you felt or what you
17 were thinking the first time he invited you upstairs?

18 A. Yeah. I was, like, ready to go get high. You know?

19 That's all I wanted. Needed.

20 Q. Did you have an impression in your brain, based upon your
21 experiences at Pharaoh's, that if you got invited upstairs by
22 the defendant, you'd be able to get high?

23 A. Yes.

24 Q. By that point in time in your tenure at Pharaoh's, based
25 upon your observations, your experiences with the defendant,

12:18PM 1 your discussions with others, based upon all of your

12:18PM 2 experiences at Pharaoh's, did you have -- just "yes" or

12:19PM 3 "no" -- an opinion of any connections the defendant might

12:19PM 4 have had --

12:19PM 5 A. Yes.

12:19PM 6 Q. -- to others?

12:19PM 7 A. Yes.

12:19PM 8 Q. Okay. Before I ask you to state that opinion, is that

12:19PM 9 opinion formed based on things the defendant has said to you?

12:19PM 10 A. Not specifically, like, said out of his mouth. Just by

12:19PM 11 people I've seen come in, and bikers, and --

12:19PM 12 Q. Okay. So you've seen the types of people he interacts

12:19PM 13 with, right?

12:19PM 14 A. Right.

12:19PM 15 Q. Have you seen and heard him speak to other people?

12:19PM 16 A. Yes.

12:19PM 17 Q. I'm not asking you specifics of what he said, but just,

12:19PM 18 you've seen how he interacts with people?

12:19PM 19 A. Yes.

12:19PM 20 Q. You've seen how and heard how he's interacted with you?

12:19PM 21 A. Yes.

12:19PM 22 Q. Did you make observations about the way he carried

12:19PM 23 himself in your view around Pharaoh's?

12:20PM 24 A. Yeah. Yes.

12:20PM 25 Q. Did he portray himself as the boss?

12:20PM 1 A. Yes.

12:20PM 2 Q. Did all of those observations exist before you were

12:20PM 3 invited upstairs as well?

12:20PM 4 A. Yes.

12:20PM 5 Q. Did you believe he knew important people?

12:20PM 6 A. Yes.

12:20PM 7 Q. By the time you first went upstairs with the defendant,

12:21PM 8 were you using heroin daily?

12:21PM 9 A. Yes.

12:21PM 10 Q. Were you using cocaine daily?

12:21PM 11 A. Yes.

12:21PM 12 Q. Describe what you remember about going upstairs alone

12:21PM 13 with the defendant and how that went.

12:21PM 14 A. We went upstairs.

12:21PM 15 Q. Well, talk -- talk about what's the discussion

12:21PM 16 downstairs. Talk them through it.

12:21PM 17 Talk the jury through downstairs to upstairs, please.

12:21PM 18 A. Okay. So, the defendant and I are downstairs at the bar.

12:21PM 19 He knows, he can tell by my look I'm not feeling very well.

12:21PM 20 **MR. SOEHNLEIN:** Objection, Your Honor.

12:21PM 21 **THE COURT:** Sustained.

12:21PM 22 **BY MR. TRIPI:**

12:21PM 23 Q. Were you feeling well?

12:21PM 24 A. No.

12:21PM 25 Q. Okay. Please continue.

12:21PM 1 **THE COURT:** The jury will strike what he knew by her
12:21PM 2 looks.
12:21PM 3 Next question, please.
12:21PM 4 **BY MR. TRIPI:**
12:21PM 5 Q. Were you not feeling well?
12:22PM 6 A. Correct.
12:22PM 7 Q. Okay. What happens after you're engaging in discussion
12:22PM 8 with him? Describe it from there.
12:22PM 9 What he said in your conversation, not what you thought
12:22PM 10 he understood. That's why you got the objection, all right?
12:22PM 11 A. Okay. He said he was gonna take me upstairs, and I'll
12:22PM 12 get something out of it.
12:22PM 13 Q. What did you think that meant?
12:22PM 14 A. I think that meant I was gonna go up, and either get
12:22PM 15 money or drugs.
12:22PM 16 Q. If you got money, would you have been able to go
12:22PM 17 somewhere in Pharaoh's and buy drugs?
12:22PM 18 A. Yes.
12:22PM 19 Q. And if you got drugs, would your problem that you were
12:22PM 20 having be solved?
12:22PM 21 A. Yes.
12:22PM 22 Q. So what was your purpose for agreeing to go upstairs?
12:22PM 23 A. Just to feel better, to be able to work and make money.
12:22PM 24 Q. To -- explain what you mean by "feel better."
12:22PM 25 A. Just to feel normal. Not even get high. You don't even

12:22PM 1 get high, you just feel like you would feel right now,
12:23PM 2 because your body is so addicted to it.
12:23PM 3 Q. Were you trying avoid getting sick?
12:23PM 4 A. Yes.
12:23PM 5 Q. Was that sickness what we were talking about Friday when
12:23PM 6 it's worse than COVID?
12:23PM 7 A. Yes.
12:23PM 8 Q. The flu times ten?
12:23PM 9 A. Yes.
12:23PM 10 Q. When you got upstairs, what happened next?
12:23PM 11 A. We got upstairs, he pulled out the bag of coke, and we
12:23PM 12 each did some. And then pulled down his pants.
12:23PM 13 Q. Who pulled down his pants?
12:23PM 14 A. He pulled down his pants.
12:23PM 15 Q. Was he erect at that point?
12:23PM 16 A. Yes.
12:23PM 17 Q. What happened next?
12:23PM 18 A. Then vaginal.
12:23PM 19 Q. After he gave you the cocaine, did words come out of his
12:24PM 20 mouth before he pulled down his pants?
12:24PM 21 A. No.
12:24PM 22 Q. Was there any question in your mind at that point when he
12:24PM 23 pulled down his pants what he expected from you?
12:24PM 24 A. No question. Yeah, no.
12:24PM 25 Q. What was your perception of your own ability to say no in

12:24PM 1 that moment?

12:24PM 2 A. I really couldn't say no. There was not one -- not even

12:24PM 3 one willpower in me to say no.

12:24PM 4 Q. Did he wear protection?

12:24PM 5 A. Yes.

12:24PM 6 Q. Have you -- have you previously gone back and forth on

12:25PM 7 that question in your mind?

12:25PM 8 A. Yes.

12:25PM 9 Q. Were there times he did and times he didn't?

12:25PM 10 A. Correct.

12:25PM 11 Q. At the time you were having sex with him, did you believe

12:25PM 12 he controlled your ability to earn money?

12:25PM 13 A. Yes.

12:25PM 14 Q. Did you believe he controlled your ability to work at

12:25PM 15 Pharaoh's?

12:25PM 16 A. Yes.

12:25PM 17 Q. What control did he have regarding aspects of your job at

12:25PM 18 Pharaoh's based on your understanding?

12:25PM 19 A. He controlled everything. You know --

12:26PM 20 Q. Explain it to them.

12:26PM 21 A. He controlled how often you get on stage.

12:26PM 22 If you decided to go to another club, he would make you

12:26PM 23 look bad.

12:26PM 24 Q. Did you ever have an argument with him or a discussion, I

12:26PM 25 should say, where you said something to the effect I'll just

12:26PM 1 go work somewhere else?

12:26PM 2 A. Yes.

12:26PM 3 Q. And what did he say when you said that?

12:26PM 4 A. He said that he knows people from all the clubs, and that

12:26PM 5 all he has to do is say something and they won't hire me.

12:26PM 6 Sorry, jury. It's, like, hard to talk about. You know?

12:27PM 7 So --

12:27PM 8 Q. We'll get through it --

12:27PM 9 A. Yeah.

12:27PM 10 Q. -- one question at a time.

12:27PM 11 After you had sex with him in the upstairs, what, if

12:27PM 12 anything, changed for you in terms of how you believe you

12:27PM 13 were treated in the club?

12:27PM 14 A. It made me feel like I could get whatever I want, you

12:27PM 15 know, I could go on stage when I want, I could get drugs when

12:27PM 16 I want, money when I want.

12:27PM 17 Q. Did you feel like that was when you became part of the

12:27PM 18 group of favorites?

12:27PM 19 A. Yes.

12:27PM 20 Q. Who else did you -- who else would you categorize in that

12:27PM 21 group?

12:27PM 22 A. Kiera/D.P. Kendra. Cherry. A.A. and me.

12:28PM 23 Q. Were all five of you, Kiera, Kendra -- sorry, six of

12:28PM 24 you -- or, five, I think -- Kiera, Kendra, Cherry, A.A.,

12:28PM 25 yourself, as you understood it, were you all dancers who

12:28PM 1 earned a lot of money there?

12:28PM 2 A. Yes.

12:28PM 3 Q. Has Peter brought you upstairs to have threesomes with
12:28PM 4 him?

12:28PM 5 A. Yes.

12:28PM 6 Q. Who are some other dancers you've done that with, and the
12:28PM 7 defendant?

12:28PM 8 A. A.A. and D.P.

12:28PM 9 Q. How many times has he brought you up there for a
12:29PM 10 threesome?

12:29PM 11 A. 25. 25, estimate.

12:29PM 12 Q. Is that in addition to the times you were up there alone?

12:29PM 13 A. Yes.

12:29PM 14 Q. When he'd bring you upstairs with for threesome, would
12:29PM 15 you do drugs first?

12:29PM 16 A. Yes.

12:29PM 17 Q. Who provided you the drugs?

12:29PM 18 A. The defendant.

12:29PM 19 Q. Then what, if anything, would he say or do after he gave
12:29PM 20 you the drugs?

12:29PM 21 A. After he gave me the drugs, then he would want a special
12:29PM 22 favor back.

12:29PM 23 Q. Is that how he phrased it, "special favor?"

12:29PM 24 A. Yes.

12:29PM 25 Q. What did "special favor" mean?

1 A. It could mean any of oral, vaginal, or anal.

2 Q. What did he mean by it when he said it to you?

3 **MR. SOEHNLEIN:** Objection.

4 **THE COURT:** Sustained.

5 **BY MR. TRIPI:**

6 Q. What sex acts did you perform on him when he said now
7 it's time for a favor?

8 A. Oral.

9 Q. How many times has he given you coke in exchange for
10 oral?

11 A. Too many to count.

12 Q. How many times have you had sex with him in exchange with
13 him for cocaine?

14 A. Too many to count.

15 Q. How many threesomes did you have upstairs with the
16 defendant and other dancers when he gave you drugs first and
17 then you had a threesome?

18 A. How many times?

19 Q. Yeah.

20 A. A lot.

21 Q. Then would you clean up and go back downstairs and work
22 after you had drugs?

23 A. Yes.

24 Q. How would he signal to you, hey, let's go upstairs?

25 Would it always be a discussion? Or was there a way to

1 signal to you and you knew what that meant?

2 A. A head nod.

3 Q. What do you mean, explain it to them.

4 A. A head not is, like, when you're looking at somebody and
5 you go. (Indicating.)

6 Q. And then what would you do when you saw the defendant
7 indicate nodding with his head.

8 Like, let me say this for the record.

9 **MR. TRIPI:** She looked at the jury, and she moved her
10 head to the right and upwards twice.

11 **BY MR. TRIPI:**

12 Q. What did that indicate to you?

13 A. To go upstairs.

14 Q. Did you ever have long, deep conversations with him
15 upstairs?

16 A. No.

17 Q. Does he know anything about you, other than the fact that
18 you were addicted to drugs and you worked at far?

19 **MR. SOEHNLEIN:** Objection?

20 **THE COURT:** Sustained.

21 **BY MR. TRIPI:**

22 Q. Did you ever tell him anything about yourself personally?

23 A. No.

24 Q. But he knew you needed drugs, right?

25 A. Yeah.

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MR. SOEHNLEIN: Objection.

THE COURT: Stop. Sustained.

The jury will strike that answer.

BY MR. TRIPI:

Q. Two hours ago in your testimony, you told them about a time when you needed to get right and he called Scooter, right?

A. Yes.

Q. Is that before you ever went upstairs and had sex with him?

A. No.

Q. That was after?

A. I don't know, you're getting me confused.

Q. Am I going too fast? I'm sorry.

A. No, no. It's just, like, I don't know if it's before or after because there were so many.

Q. All right. They're blurring together?

A. Yeah.

Q. When you would need to get right and he would call Scooter -- are you with me --

A. Yes.

Q. -- were you having sex with him upstairs?

A. No.

Q. Okay. So that came later?

A. Right.

12:32PM 1 Q. Okay.

12:32PM 2 A. Correct.

12:32PM 3 Q. That means, would you agree, by the time you're going
12:32PM 4 upstairs, he knew about your relationship with Scooter?

12:32PM 5 **MR. SOEHNLEIN:** Objection.

12:33PM 6 **MR. TRIPI:** Judge, it's obvious from the -- she's
12:33PM 7 laid the foundation. He introduced her to Scooter. How is
12:33PM 8 that not proper testimony for her to then testify under 602
12:33PM 9 about what he knew?

12:33PM 10 **THE COURT:** Okay. We are going to break for lunch
12:33PM 11 now, folks. I have three matters I need to do between 12:30
12:33PM 12 and 1:30, totally unrelated to this case, other cases.

12:33PM 13 So please remember my instructions. Don't talk about
12:33PM 14 this case with anyone, including with each other. Don't use
12:33PM 15 tools of technology to communicate about the case or to learn
12:33PM 16 anything about the case.

12:33PM 17 Don't read or watch or listen to any news coverage of
12:33PM 18 the case if there is any while the trial is in progress. And
12:33PM 19 don't make up your mind until you start deliberating.

12:33PM 20 See you back here at 1:30. Thank you.

12:33PM 21 (Jury excused at 12:33 p.m.)

12:33PM 22 **MR. COOPER:** Don't discuss your testimony with
12:33PM 23 anyone.

12:34PM 24 **THE WITNESS:** Gotcha.

12:34PM 25 **THE COURT:** Okay. Ma'am, you're not to talk to

anybody except your lawyer during the break, okay?

THE WITNESS: Yes, sir.

THE COURT: Okay. See you back here at 1:30.

(Witness excused at 12:34 p.m.)

THE COURT: So Mr. Tripi, you're right. You certainly can argue to the jury that he knew. But she can't tell you whether he believed what she said to him, or whether he remembered what she said to him, or whether he forgot what she said to him. So she can't get into his head.

You certainly can make an argument to the jury that she told him that he saw what was going on with his eyes. And I think it's a pretty strong argument, to be honest with you. But I don't think you can ask her what he knew.

MR. TRIPI: I think my -- respectfully, Judge, if I can make my pitch.

THE COURT: Absolutely.

MR. TRIPI: I think that once you've laid as much foundation as I have for about two hours, under Rule 602 and 701, I think she can testify to that type of opinion.

I think an analogy would be -- an analogy would be I don't think anyone in this courtroom has ever watched me walk into the U.S. Attorney's Office, maybe almost accidentally hit me by -- in a car once, but never actually watched me walk in and do work inside the U.S. Attorney's Office.

But because you see me here, we interact, I walk in

1 and I sit here, everyone here has a 602 personal knowledge and
2 a 701 opinion that I work for the U.S. Attorney's Office.

3 None of you have seen my written agreements, none of
4 you have seen me interact with the boss, none of you have seen
5 me in the building, but you all know I work there. I don't
6 think it's different than what I'm asking here.

7 **THE COURT:** It's different than what somebody knows
8 or remembers or thinks.

9 **MR. TRIPI:** Fair enough.

10 **THE COURT:** I think that's the difference. But I
11 understand what you're saying.

12 **MR. TRIPI:** And I understand why you sustained the
13 objection. I appreciate that. You don't have to do that, but
14 I appreciate it. And now I'll move forward.

15 **THE COURT:** Thank you. Okay. Anything more we need
16 to do before we break?

17 **MR. SOEHNLEIN:** No, Your Honor.

18 **THE COURT:** Mr. Tripi?

19 **MR. TRIPI:** No, Judge.

20 **THE COURT:** Terrific. See you in an hour.

21 (Off the record at 12:36 p.m.)

22 (Back on the record at 1:34 p.m.)

23 (Jury not present.)

24 **THE CLERK:** All rise.

25 **THE COURT:** Please be seated.

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1 **THE CLERK:** We are back on the record for the
2 continuation of the jury trial in case numbers 19-cr-227 and
3 23-cr-37, United States of America versus Peter Gerace Jr.
4 All counsel and parties are present.
5 **THE COURT:** Okay. Anything we need to do before we
6 bring the witness and the jury back?
7 **MR. TRIPI:** Not from the government.
8 **MR. SOEHNLEIN:** Nothing here, Judge.
9 **THE COURT:** Okay. Let's do it. Let's get the
10 witness in, and let's get the jury, please, Pat.
11 (Jury seated at 1:36 p.m.).
12 **THE COURT:** The record will reflect that all our
13 jurors, again, are present.
14 I remind the witness that she's still under oath.
15 Mr. Tripi, you may continue.
16 **MR. TRIPI:** Thank you, Your Honor.
17 **BY MR. TRIPI:**
18 Q. Ms. L.L., was there an occasion when you went upstairs
19 with the defendant, D.P., and A.A., to obtain drugs and to
20 engage in sex acts where the defendant ended up engaging in
21 those sex acts with D.P. and A.A. while you did drugs in the
22 nearby bathroom?
23 A. Yes.
24 Q. Can you describe what happened on that occasion for the
25 jury?

01:37PM 1 A. That occasion, us three girls went up with the defendant.

01:37PM 2 And them two, my other two girls that were dancing, had sex

01:37PM 3 with him. And he wanted me to, too. But I was in the

01:37PM 4 bathroom doing what I needed to, to feel right.

01:37PM 5 Q. Which means what? Can you be explicit?

01:37PM 6 A. You know, I'm doing drugs so I can feel better to work.

01:37PM 7 And then I did it.

01:38PM 8 I know, I'm probably not be specific enough, but --

01:38PM 9 Q. Are you doing your best to explain?

01:38PM 10 A. I'm trying to do -- yes, yes, yes.

01:38PM 11 Q. Now, back in July of 2020, after your initial interview

01:38PM 12 with law enforcement on July 16th, 2020, you then went into

01:38PM 13 grand jury; do you remember that?

01:38PM 14 A. Yes.

01:38PM 15 Q. Now, in the grand jury, is it accurate to say that when

01:38PM 16 you described the number of times that you engaged in sex

01:38PM 17 acts, meaning sex either vaginal or oral sex with the

01:38PM 18 defendant in the upstairs, at that time you estimated ten

01:38PM 19 times?

01:38PM 20 A. Okay.

01:38PM 21 Q. Do you recall that?

01:38PM 22 A. Yes.

01:38PM 23 Q. That was your approximate estimate then?

01:38PM 24 A. Yeah.

01:38PM 25 Q. Between 2020 and today, as you sit here, have you taken a

01:39PM 1 lot of time to try to heal yourself and to improve yourself?

01:39PM 2 A. Yes.

01:39PM 3 Q. Have you made a lot of progress in your view in your

01:39PM 4 personal recovery between 2020 and now?

01:39PM 5 A. Say that again? Sorry.

01:39PM 6 Q. Have you made a lot -- do you think you've made a lot of

01:39PM 7 progress in your life with your recovery both mentally and

01:39PM 8 physically since 2020?

01:39PM 9 A. Yes. I can say that. I came very far.

01:39PM 10 Q. In the process of that, have you thought about things

01:39PM 11 some more, and have -- have the number of times that you've

01:39PM 12 been upstairs, have you been able to remember more?

01:39PM 13 A. Yes.

01:39PM 14 Q. Have your estimates as to the number of times you went

01:39PM 15 upstairs with this defendant, have they increased as you're

01:40PM 16 sitting here today?

01:40PM 17 A. Yes.

01:40PM 18 Q. Are you making up the increased numbers? Or are you

01:40PM 19 remembering more about what happened to you?

01:40PM 20 A. I'm just remembering more.

01:40PM 21 Q. When you go through a -- when you go through a traumatic

01:40PM 22 event or trauma in life, is one way to deal with it to try to

01:40PM 23 forget it?

01:40PM 24 A. Yes.

01:40PM 25 Q. Have you worked on remembering over the course of the

1 last four years?

2 A. Yes.

3 Q. Are you telling this jury the truth?

4 A. Yeah.

5 Q. Is there anything fun about talking about this stuff in
6 front of a bunch of strangers?

7 A. Absolutely not. No.

8 Q. All right. We talked about individuals who were close to
9 the defendant who you also went upstairs with. I want to
10 switch to that topic now, okay?

11 A. Okay.

12 Q. Earlier in your testimony, you explained that it was the
13 defendant that controlled access to the upstairs; is that
14 right?

15 A. Yes.

16 Q. So when you would go upstairs with one of his friends, or
17 his brother David, how would you get up there?

18 A. The defendant would give them the key.

19 Q. Is there a door that locked at the bottom of that
20 stairwell?

21 A. Yes.

22 **MR. TRIPI:** Can we pull up Exhibit 235-A-28 in
23 evidence?

24 **BY MR. TRIPI:**

25 Q. This is in evidence. Is this a view from the bottom

entry point going to the upstairs, in other words, the stairs that lead to the upstairs?

A. Yeah.

Q. If you were the person taking the pictures, is there basically a door that locks right there?

A. Yes.

Q. Okay. Are these the stairs that you've walked up many times?

A. Yes.

MR. TRIPI: We can take that down.

BY MR. TRIPI:

Q. I want to move on to the defendant's brother in a moment. But generally speaking, tell this jury, why did you engage -- look back on your life, why you did engage in the sex acts in the upstairs in exchange for drugs and money at Pharaoh's?

A. I engaged in it to stay part of the favorite girls, because I knew that was the only way to stay not sick from drugs every day.

Q. But for the drugs and the money that you got, would you have done that? If you didn't -- if you weren't getting drugs and money, would you have done that?

A. No.

Q. Looking back, do you feel that the men who had sex with you in exchange for drugs and money were taking advantage of your addiction?

25 | A. Oh, the defendant, yeah.

01:44PM 1 Q. Do you remember your initial interaction with the
01:44PM 2 defendant's brother, David?

01:44PM 3 A. Yes.

01:44PM 4 Q. Can you describe what you remember about it for the jury?

01:44PM 5 A. Yes. The defendant's brother and I, we were at the bar
01:44PM 6 having a couple drinks. And he liked coke, too, so he had
01:44PM 7 that on him and offered me some to go upstairs. And that's
01:44PM 8 exactly what we did.

01:44PM 9 Q. Were you looking for cocaine in that moment?

01:44PM 10 A. Yes.

01:44PM 11 Q. Did you go upstairs with him?

01:44PM 12 A. Yes.

01:45PM 13 Q. Did he give you cocaine?

01:45PM 14 A. Yes.

01:45PM 15 Q. What happened after he gave you cocaine?

01:45PM 16 A. Then I did a sexual act for him.

01:45PM 17 Q. Do you recall what?

01:45PM 18 A. It was anal. Yes. I do recall.

01:45PM 19 Q. Have you had both vaginal and anal sex with the
01:45PM 20 defendant's brother in the upstairs?

01:45PM 21 A. Yes.

01:45PM 22 Q. On those occasions, was it this defendant that provided
01:45PM 23 access to the upstairs?

01:45PM 24 A. Yes.

01:45PM 25 Q. On each occasion, did the defendant's brother give you

01:45PM 1 some type of drug first?

01:45PM 2 A. Yes.

01:45PM 3 Q. What type of drugs have you gotten from the defendant's

01:45PM 4 brother, David?

01:45PM 5 A. Cocaine.

01:45PM 6 Q. Were all sex acts, with both this defendant and his

01:46PM 7 brother, that you engaged in at Pharaoh's?

01:46PM 8 A. I missed the beginning of that.

01:46PM 9 Q. Were all sex acts that you engaged in, with this

01:46PM 10 defendant and his brother David, at Pharaoh's in the

01:46PM 11 upstairs?

01:46PM 12 A. Yes.

01:46PM 13 Q. Earlier, you talked about the defendant's friend Aaron

01:46PM 14 who you thought was a liquor distributor; do you remember

01:46PM 15 that?

01:46PM 16 A. Yes.

01:46PM 17 Q. What was your understanding of Aaron's relationship with

01:46PM 18 the defendant?

01:46PM 19 A. They were real close.

01:46PM 20 Q. By the time you met Aaron, had you already been in the

01:46PM 21 upstairs and had sex with the defendant in exchange for

01:46PM 22 cocaine?

01:46PM 23 A. Yes.

01:46PM 24 Q. Do you remember how you met Aaron?

01:46PM 25 A. I met Aaron -- I don't remember.

01:47PM 1 Q. Was it in Pharaoh's?

01:47PM 2 A. Yes. Yeah.

01:47PM 3 Q. Did Aaron ask you to go upstairs?

01:47PM 4 A. Yes.

01:47PM 5 Q. Who provided access to the upstairs?

01:47PM 6 A. The defendant gave Aaron the key.

01:47PM 7 Q. Was there a verbal negotiation between you and Aaron?

01:47PM 8 Did you talk about what you wanted and what he wanted?

01:47PM 9 A. Yes.

01:47PM 10 Q. What was that conversation?

01:47PM 11 A. We exchanged vaginal sex for cocaine.

01:47PM 12 Q. Is that the only type of drug Aaron's ever given you?

01:47PM 13 A. No.

01:47PM 14 Q. What other type of drug has Aaron given you?

01:47PM 15 A. Heroin, as well.

01:47PM 16 Q. In each instance where you got either cocaine or heroin

01:47PM 17 from Aaron, was that in the upstairs of Pharaoh's?

01:48PM 18 A. Yes.

01:48PM 19 Q. Was that in exchange for you performing some type of sex

01:48PM 20 act on Aaron?

01:48PM 21 A. Yes.

01:48PM 22 Q. What type of sex acts have you engaged in with Aaron at

01:48PM 23 the upstairs at Pharaoh's?

01:48PM 24 A. Just about all of it: Anal, oral, vaginal.

01:48PM 25 Q. Did Aaron wait until after the sex act to give you the

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1 drugs?
2 A. Yes.
3 Q. Approximately how many times would you estimate that
4 you've been upstairs and had some type of sex -- whether
5 oral, anal, or vaginal -- with Aaron in exchange for cocaine
6 or heroin?
7 A. 25.
8 Q. If you said ten back in grand jury in 2020, would that be
9 a low estimate?
10 A. Yes.
11 Q. What makes you say that ten would be a low estimate as
12 you sit there today?
13 A. Because basically, when we were doing that back then, I
14 wasn't --
15 Q. You mean grand jury?
16 A. -- yeah, I wasn't thinking of the whole entire timeframe
17 that I worked there.
18 Q. What were you thinking of?
19 A. I guess I -- I was just throwing out an estimate, like,
20 and then when I thought about that it really, like, after
21 that, I'm like, wait, there's 365 days in a year. Like
22 there's -- there's more times.
23 Q. Did you engage in the sex acts with Aaron so you could
24 avoid withdrawing from drugs?
25 A. Yes.

01:50PM 1 **MR. TRIPI:** If we can pull up Exhibit 241C, please.

01:50PM 2 **BY MR. TRIPI:**

01:50PM 3 Q. Do you recognize the person depicted in that photo?

01:50PM 4 A. Yeah.

01:50PM 5 Q. Who's that?

01:50PM 6 A. Rob Reed, the DJ.

01:50PM 7 Q. And does that photo depict him in the DJ booth?

01:51PM 8 A. Yes.

01:51PM 9 Q. Based on your experience, and you've touched on, but

01:51PM 10 what's the role of the DJ? What's the importance of the DJ

01:51PM 11 position at Pharaoh's?

01:51PM 12 A. The DJ puts the girls on stage in the rotation they

01:51PM 13 should be. He's supposed to keep an eye over the girls in

01:51PM 14 the locker room. That's about it.

01:51PM 15 Q. Who does the DJ report to?

01:51PM 16 A. He reports to the defendant.

01:51PM 17 Q. So who did Rob Reed report to?

01:51PM 18 A. Nobody.

01:51PM 19 Q. Did he report to the defendant? Is that what you just

01:51PM 20 said? The DJ reports to the defendant.

01:51PM 21 A. Right.

01:51PM 22 Q. The defendant was the DJ's boss?

01:51PM 23 A. Correct. Correct.

01:51PM 24 Q. Did the DJ act like a manager?

01:52PM 25 A. Tried to.

01:52PM 1 Q. Did there come a time when you were back in the dressing
01:52PM 2 room at Pharaoh's going through withdrawal sickness when you
01:52PM 3 interacted with Rob Reed?

01:52PM 4 A. Yes.

01:52PM 5 Q. Now, do you remember whether that was a day or a
01:52PM 6 nighttime shift?

01:52PM 7 A. Daytime.

01:52PM 8 Q. Was it relatively -- was it busy or not so busy?

01:52PM 9 A. Not so busy.

01:52PM 10 Q. When you were -- when you were sick -- or, withdraw,
01:52PM 11 withdrawn.

01:52PM 12 When you were starting to get sick or withdrawing, what
01:52PM 13 type of drug were you withdrawing from?

01:52PM 14 A. Heroin.

01:52PM 15 Q. Did you have a discussion with Rob Reed in the locker
01:52PM 16 room?

01:52PM 17 A. Yes.

01:52PM 18 Q. Did that discussion relate to going upstairs in Pharaoh's
01:52PM 19 with him?

01:52PM 20 A. Yes.

01:52PM 21 Q. What did he say to you, and what did you say to him?

01:53PM 22 A. I went up to him and I asked him if he had had anything
01:53PM 23 he could help me out with to get through my shift.

01:53PM 24 And he said yes, but he wanted a favor back.

01:53PM 25 And we went upstairs.

01:53PM 1 Q. On that occasion, how did -- how did he get up there?

01:53PM 2 How did you guys gain access to the upstairs, if you recall?

01:53PM 3 A. He -- he got the key from Peter.

01:53PM 4 Q. Do you remember if the defendant directly handed him the

01:53PM 5 key, or if the key was somewhere where DJ Rob Reed knew to

01:53PM 6 get it, if you know?

01:53PM 7 A. I don't know.

01:53PM 8 Q. Describe what happened when you went upstairs with Rob

01:53PM 9 Reed.

01:53PM 10 A. He gives me what I needed first, the drugs.

01:54PM 11 Q. What was it?

01:54PM 12 A. Heroin and cocaine. It was both.

01:54PM 13 Q. On this particular occasion?

01:54PM 14 A. Yes.

01:54PM 15 Q. Okay.

01:54PM 16 A. Yes. So I did my heroin, got right, then I did his favor

01:54PM 17 for him.

01:54PM 18 Q. What was that?

01:54PM 19 A. That was vaginal.

01:54PM 20 Q. And then what happened?

01:54PM 21 A. And then he gave me a little bit of cocaine after that.

01:54PM 22 Q. Did you have to clean yourself up?

01:54PM 23 A. Yes.

01:54PM 24 Q. How did you do that?

01:54PM 25 A. In the shower downstairs in the locker room.

01:54PM 1 Q. Is that the only time that happened with Rob Reed, or did
01:54PM 2 it happen more than that?

01:54PM 3 A. That was the only time with him.

01:55PM 4 **MR. TRIPI:** Okay. For the witness only, can we show
01:55PM 5 the witness Government Exhibit 3571A, at page 19, please.

01:55PM 6 **MR. SOEHNLEIN:** Your Honor, I'm gonna object to this.
01:55PM 7 I don't think she said she didn't recall anything. I don't
01:55PM 8 know why he's showing the witness anything.

01:55PM 9 **MR. TRIPI:** Judge, I'm showing a prior inconsistent
01:55PM 10 statement as evidence which is subject to hearsay.

01:55PM 11 **THE COURT:** What lines are we talking about?

01:55PM 12 **MR. TRIPI:** I've got to get there myself. Just give
01:55PM 13 me a moment, Judge.

01:55PM 14 Page 19.

01:55PM 15 Ms. Champoux, can we go back to 18 for a moment so I
01:55PM 16 can see that page? Thank you. Just right there. All right.
01:56PM 17 We can scroll to 19 -- sorry. All right. Stop there.

01:56PM 18 Beginning at line 10 on 19, Judge.

01:56PM 19 Ms. Champoux, can we scroll to 20 just so I can get
01:56PM 20 the end point, and then we'll go back.

01:56PM 21 Page 19, line 10, Judge, through 19.

01:57PM 22 **MR. SOEHNLEIN:** I'm sorry, Your Honor, I don't
01:57PM 23 believe it's consistent.

01:57PM 24 **MR. TRIPI:** That's the whole point.

01:57PM 25 **THE COURT:** I'm sorry?

01:57PM 1 **MR. SOEHNLEIN:** I'm sorry, can we come up, Judge?

01:57PM 2 **THE COURT:** Yeah, come on up.

01:57PM 3 (Sidebar discussion held on the record.)

01:57PM 4 **THE COURT:** It's a prior inconsistent statement, she
01:57PM 5 said once, and -- or, she said six times and now she's saying
01:57PM 6 once.

01:57PM 7 **MR. TRIPI:** And the inconsistency would come in, I'm
01:57PM 8 offering it substantively. It's sworn testimony.

01:57PM 9 **THE COURT:** It's sworn testimony.

01:57PM 10 **MR. SOEHNLEIN:** All right. No, I misheard him
01:58PM 11 before. I thought he said he said he was offering it for a
01:58PM 12 prior consistent statement.

01:58PM 13 **THE COURT:** No, prior inconsistent statement.

01:58PM 14 (End of sidebar discussion.)

01:58PM 15 **THE COURT:** I understand the objection is withdrawn,
01:58PM 16 Mr. Soehnlein?

01:58PM 17 **MR. SOEHNLEIN:** That's correct.

01:58PM 18 **THE COURT:** Okay.

01:58PM 19 **BY MR. TRIPI:**

01:58PM 20 Q. I'm going to ask you some questions now, Ms. L.L.. this
01:58PM 21 is -- we've established on July 16th, 2020, you testified
01:58PM 22 before the grand jury, right?

01:58PM 23 A. Yes.

01:58PM 24 Q. And I want to ask you, were you asked these questions
01:58PM 25 under oath at that time and did you give these answers.

01:58PM 1 Okay? And you can follow along on your screen if you want.

01:58PM 2 I'm looking at page 19, and I'm going to go from lines 10

01:58PM 3 through 15.

01:58PM 4 A. Okay.

01:58PM 5 Q. Okay? Were you asked this:

01:58PM 6 "Question: How about Rob Reed the DJ? Can you explain
01:58PM 7 how that worked with him?

01:58PM 8 "Answer: He would give me a combination. I would say
01:58PM 9 about six times. Anal -- I mean, oral and intercourse.

01:58PM 10 "Question: Was that for money or drugs?

01:59PM 11 "Answer: Both:

01:59PM 12 "Question: What kind of drugs would he give you?

01:59PM 13 "Answer: Cocaine."

01:59PM 14 Were you asked those questions, did you give those
01:59PM 15 answers?

01:59PM 16 A. Yes.

01:59PM 17 Q. Okay.

01:59PM 18 **MR. TRIPI:** You can take that down, Ms. Champoux.

01:59PM 19 **BY MR. TRIPI:**

01:59PM 20 Q. Have you covered a lot of stuff, Ms. L.L.?

01:59PM 21 A. Um-hum, yes.

01:59PM 22 Q. Did you forget -- simply forget the estimate you provided
01:59PM 23 in grand jury?

01:59PM 24 A. Yeah.

01:59PM 25 Q. Okay.

01:59PM 1 A. I mean, you know, there's --

01:59PM 2 Q. I get it.

01:59PM 3 A. Yeah.

01:59PM 4 Q. So was it, just to be clear, and whatever the answer is,
01:59PM 5 was it more than one time with Rob Reed?

01:59PM 6 A. It was more than one time --

01:59PM 7 Q. Okay.

01:59PM 8 A. -- but I don't remember exact -- exactly how many times
01:59PM 9 upstairs.

01:59PM 10 Q. Okay. Sometimes were you provided a combination of money
02:00PM 11 and cocaine?

02:00PM 12 A. Yes.

02:00PM 13 Q. With Rob Reed, was there a particular monetary rate that
02:00PM 14 would accompany the cocaine if it was oral sex, and another
02:00PM 15 amount of money that would accompany vaginal sex?

02:00PM 16 A. Yes.

02:00PM 17 Q. Do you remember those dollar amounts?

02:00PM 18 A. Oral \$100, and anal \$300.

02:00PM 19 Q. Anal or vaginal?

02:00PM 20 A. Vaginal, sorry. My bad.

02:00PM 21 Q. Okay. And what were you going to use the money for?

02:00PM 22 A. To get -- to get more drugs so I could work.

02:00PM 23 Q. Were you severely addicted at this point?

02:00PM 24 A. Oh, yeah.

02:00PM 25 Q. Would you have engaged in any of those sex acts upstairs

02:01PM 1 with Rob Reed if you weren't addicted to heroin and cocaine?

02:01PM 2 A. No.

02:01PM 3 Q. We talked about a downstairs customer earlier named Wayne

02:01PM 4 van Vleet; do you remember that?

02:01PM 5 A. Yes.

02:01PM 6 Q. Was there another downstairs Pharaoh's customer who you

02:01PM 7 met at Pharaoh's named Jim Casey?

02:01PM 8 A. Yes.

02:01PM 9 Q. Who was that?

02:01PM 10 A. Jim Casey was a customer that came into Pharaoh's

02:01PM 11 regularly. I met him through A.A.

02:02PM 12 Q. A.A.?

02:02PM 13 A. Yes.

02:02PM 14 Q. Was that sometime in around 2015 if you had to estimate?

02:02PM 15 A. Yes.

02:02PM 16 Q. The first time you met Jim Casey in Pharaoh's, did you

02:02PM 17 engage in a sex act with him and A.A. in the downstairs

02:02PM 18 Champagne Room?

02:02PM 19 A. Yes.

02:02PM 20 Q. Describe what transpired in the downstairs Champagne Room

02:02PM 21 between you, Jim Casey, and A.A..

02:02PM 22 A. Jim wanted both of us back there, me and A.A.. so we

02:02PM 23 went back, did the dances. And to get more tipped, he wanted

02:02PM 24 to go back and forth from me and her. So he would, you know,

02:02PM 25 have sex with her vaginally, and then me, and so on.

02:03PM 1 Q. Was it basically a threesome in the Champagne Room?

02:03PM 2 A. Yes.

02:03PM 3 Q. Do you remember who the VIP attendant was?

02:03PM 4 A. Brian.

02:03PM 5 Q. Did Brian come in and stop that?

02:03PM 6 A. No.

02:03PM 7 Q. Have you observed Jim Casey tip Brian before?

02:03PM 8 A. Yes.

02:03PM 9 Q. How many times would you estimate that you engaged in

02:03PM 10 some type of sex act with Jim Casey in the downstairs

02:03PM 11 Champagne Room area at Pharaoh's?

02:03PM 12 A. Like, five.

02:03PM 13 Q. What was that for? Why did you do that?

02:04PM 14 A. That was to get my fix.

02:04PM 15 Q. Does that mean you were looking for money for drugs?

02:04PM 16 A. Yes.

02:04PM 17 Q. Is that what "get your fix" means?

02:04PM 18 A. Yeah, sorry.

02:04PM 19 Q. That's okay.

02:04PM 20 Did you and A.A. also meet with Jim Casey outside of

02:04PM 21 Pharaoh's?

02:04PM 22 A. Yes.

02:04PM 23 Q. Did that also involve an exchange of money for drugs --

02:04PM 24 A. Yes.

02:04PM 25 Q. -- and sex with you both?

02:04PM

1 A. Yes.

02:04PM

2 Q. Did that type of activity in your life generally start in

02:04PM

3 Pharaoh's?

02:04PM

4 A. Yes.

02:04PM

5 Q. Did that type of activity specifically with Jim Casey

02:04PM

6 start in Pharaoh's?

02:04PM

7 A. Yes.

02:04PM

8 Q. All these situations we're talking about in the

02:05PM

9 downstairs, if you were not addicted to heroin and cocaine at

02:05PM

10 the time, would you have wanted Brian Rosenthal to intervene?

02:05PM

11 A. Yes.

02:05PM

12 Q. I want to ask you about another man in the downstairs

02:05PM

13 VIP. Do you know Joseph Barsuk?

02:05PM

14 A. Yes.

02:05PM

15 Q. Who is that? Explain him to the jury, in terms of

02:05PM

16 meeting him at Pharaoh's.

02:05PM

17 A. Joe, he was a regular that came in every single day. He

02:05PM

18 would be there all night long. And he'd spend a lot of

02:05PM

19 money. I met him through one of the dancers he liked before

02:05PM

20 me. And again --

02:05PM

21 Q. Who was that dancer?

02:05PM

22 A. That was Megan Stabler.

02:05PM

23 Q. And what, if you know, what caused the transition from

02:05PM

24 him seeing Megan Stabler at Pharaoh's to her introducing him

02:06PM

25 to you, and then him seeing you at Pharaoh's?

02:06PM 1 A. Well, she basically went on to Rob.

02:06PM 2 Q. Did she -- did she end up marrying the DJ, Rob Reed?

02:06PM 3 A. Yes. So that's why her and Joe, that customer, kind of
02:06PM 4 broke it office.

02:06PM 5 Q. Did she send Joe, like, refer him to you?

02:06PM 6 A. Yes.

02:06PM 7 Q. Was he a former chiropractor?

02:06PM 8 A. Yes.

02:06PM 9 Q. Would he travel in from Batavia, New York just to go to
02:06PM 10 Pharaoh's?

02:06PM 11 A. Yes.

02:06PM 12 Q. Was he well known among the staff, based on your
02:06PM 13 observations?

02:06PM 14 A. Yes.

02:06PM 15 Q. I'm going to show you Exhibit 3571U. Do you recognize
02:06PM 16 that?

02:06PM 17 A. That is Joseph Barsuk.

02:06PM 18 Q. Is that a photo, a facial photo of Joseph Barsuk?

02:06PM 19 A. Yes.

02:06PM 20 Q. Does it accurately and fairly depict generally how he
02:07PM 21 would look when he went to Pharaoh's?

02:07PM 22 A. Yes.

02:07PM 23 **MR. TRIPI:** The government offers 3571U.

02:07PM 24 **MR. SOEHNLEIN:** No objection.

02:07PM 25 **THE COURT:** Received without objection.

1 (GOV Exhibit 3571U was received in evidence.)

2 MR. TRIPI: If you can publish that briefly.

3 Okay. You can take that down.

4 BY MR. TRIPI:

5 Q. Have you previously described to the FBI, in great, great
6 depth, Joseph Barsuk?

7 A. Yes.

8 Q. I'm not going to go into that much detail here but when
9 you first met Joe Barsuk and you went into the VIP, did you
10 engage in sex acts with him that very first time?

11 A. Yes.

12 Q. What did you engage in in the VIP?

13 A. You know, to be honest I can't remember, like --

14 Q. Which it was?

15 A. -- which, yeah.

16 Q. Okay. What was the state of your daily drug use at the
17 time; do you remember that?

18 A. It was bad. I was every day, all day, needing it.

19 Q. By that point in time were your track marks that you
20 showed this jury Friday visible?

21 A. Yes.

22 Q. And in fairness, they got even more visible over time,
23 right?

24 A. Yes.

25 Q. Have you had sex with Barsuk in the downstairs VIP at

02:08PM 1 Pharaoh's?

02:08PM 2 A. Yes.

02:08PM 3 Q. Was that because he bought private dances?

02:08PM 4 A. Yes.

02:08PM 5 Q. Did anyone ever intervene and stop that activity?

02:08PM 6 A. No.

02:08PM 7 Q. Did it happen a bunch of times?

02:09PM 8 A. Yes.

02:09PM 9 Q. At some point, did it also occur outside of Pharaoh's

02:09PM 10 with Joseph Barsuk?

02:09PM 11 A. Yes.

02:09PM 12 Q. Did it -- did it include him giving you money, or money

02:09PM 13 for drugs each time?

02:09PM 14 A. Yes.

02:09PM 15 Q. Earlier there was another individual when we were talking

02:09PM 16 about sex acts. Was there another person in the downstairs

02:09PM 17 VIP, a different person named Dave, who is not this

02:09PM 18 defendant's brother?

02:09PM 19 A. Yes.

02:09PM 20 Q. While you were heavily addicted to heroin and cocaine,

02:10PM 21 did you go into the VIP with this person named Dave --

02:10PM 22 A. Yeah.

02:10PM 23 Q. -- and engage in sex acts?

02:10PM 24 A. Yes.

02:10PM 25 Q. Did Dave tip the bouncer at the VIP door or the VIP

02:10PM 1 attendant, withdrawn, as the door?

02:10PM 2 A. Yes.

02:10PM 3 Q. How many times did you go in the VIP and engage in sex

02:10PM 4 with Dave? Was it more than once?

02:10PM 5 A. Yes.

02:10PM 6 Q. Now, earlier we talked about when the defendant first

02:10PM 7 pointed out Wayne van Vleet to you; do you remember that?

02:10PM 8 A. Yes.

02:10PM 9 Q. The defendant told you what Wayne would likely do to you

02:10PM 10 in the VIP, right?

02:10PM 11 A. Yes.

02:10PM 12 Q. He told you how Brian would behave, right?

02:10PM 13 A. Yes.

02:10PM 14 Q. Was there another person that the defendant pointed out

02:10PM 15 to you, an attorney named Joe Muscato, that he pointed you

02:10PM 16 and directed you towards?

02:11PM 17 A. Yes.

02:11PM 18 Q. Was that closer to the end of your time, like, 2017?

02:11PM 19 A. Yes.

02:11PM 20 Q. What, if anything, specifically do you remember the

02:11PM 21 defendant saying or, in sum and substance, what did he say

02:11PM 22 when he pointed out that attorney to you?

02:11PM 23 A. I just knew he said that he was a good one, he's got a

02:11PM 24 lot of money.

02:11PM 25 Q. Would the indication, as you were understanding it, that

02:11PM 1 this was someone that had a lot of money?

02:11PM 2 A. Yes.

02:11PM 3 **MR. SOEHNLEIN:** Objection. His state of mind.

02:11PM 4 **MR. TRIPI:** Judge, 611C, I'm trying to develop the
02:11PM 5 testimony here, and I'm just following up on her prior answer.

02:11PM 6 **THE COURT:** Overruled.

02:11PM 7 **THE WITNESS:** Okay. I'm sorry, what?

02:12PM 8 **THE COURT:** Ann.

02:12PM 9 (The above-requested testimony was then read by the
02:12PM 10 reporter.)

02:12PM 11 **BY MR. TRIPI:**

02:12PM 12 Q. When the defendant pointed out that person to you, what
02:12PM 13 did you understand that to mean?

02:12PM 14 A. It meant that if I did favors, I can get a lot more
02:12PM 15 money.

02:12PM 16 Q. Okay. Now, after the defendant pointed out that attorney
02:12PM 17 to you, did you approach him?

02:12PM 18 A. Yes.

02:12PM 19 Q. Did it just turn out that that particular man wasn't
02:12PM 20 interested in that type of thing?

02:12PM 21 A. Correct.

02:12PM 22 Q. So what happened? Did you just sit and talk a little
02:12PM 23 bit?

02:12PM 24 A. Yeah.

02:12PM 25 Q. In that moment in time in your life, though, after the

02:12PM 1 defendant pointed out an attorney indicating to you he had
02:12PM 2 money, if that particular attorney would have been interested
02:12PM 3 in that type of activity in the VIP, after the defendant
02:13PM 4 pointed the person out to you, would you have done it --
02:13PM 5 A. Yes.
02:13PM 6 Q. -- at that time in your life?
02:13PM 7 A. Yes.
02:13PM 8 Q. At that time in your life, while you were an employee
02:13PM 9 inside Pharaoh's, do you think you would have done basically
02:13PM 10 anything the defendant told you to do?
02:13PM 11 A. Yes.
02:13PM 12 Q. What, if anything, did the defendant ever say in your
02:13PM 13 presence about how many people or the types of people he
02:13PM 14 knew?
02:13PM 15 A. Oh I never, like, heard it from his mouth.
02:13PM 16 Q. No, I'm asking you about what he said in terms of, if you
02:13PM 17 remember, did you -- did you remember him talking about the
02:13PM 18 types of people he knew?
02:13PM 19 A. No.
02:13PM 20 Q. Did you ever hear him say he knew a lot of people?
02:14PM 21 A. Yes.
02:14PM 22 Q. That's what I'm asking you.
02:14PM 23 A. I did, yes.
02:14PM 24 Q. Okay. Is there a time when you overdosed inside
02:15PM 25 Pharaoh's?

02:15PM

1 A. Yes.

02:15PM

2 Q. Do you know how many times you overdosed inside

02:15PM

3 Pharaoh's?

02:15PM

4 A. Too many.

02:15PM

5 Q. Do you remember an occasion where people tried to bring

02:15PM

6 you back inside Pharaoh's?

02:15PM

7 A. Yes.

02:15PM

8 Q. What happened?

02:15PM

9 A. Larry, that's who I'm gonna speak on. Is that what

02:15PM

10 you're asking?

02:15PM

11 Q. I didn't ask you about Larry yet. I'm gonna -- was there

02:15PM

12 a time in Pharaoh's where you were thrown in the shower, and

02:15PM

13 people were dousing cold water on you?

02:15PM

14 A. Oh, yes.

02:15PM

15 Q. What happened on that occasion?

02:15PM

16 A. That was D.P., she noticed that I was, like, turning

02:15PM

17 purple and blue in my face and lips. So she put me in the

02:15PM

18 shower with cold water and it snapped me back.

02:16PM

19 And I've done the same for her.

02:16PM

20 Q. Is your understanding that that is -- was consistent with

02:16PM

21 you being in an overdose situation?

02:16PM

22 A. Yes.

02:16PM

23 Q. Now I'm going to ask you about Larry.

02:16PM

24 Was there another -- you mentioned earlier there was

02:16PM

25 another manager that came in after you started at Pharaoh's

02:16PM 1 named Larry?

02:16PM 2 A. Yes.

02:16PM 3 Q. Was there a night or an occasion where you went to work,

02:16PM 4 remember talking to Larry, and then ended up in a hotel

02:16PM 5 room --

02:16PM 6 A. Yes.

02:16PM 7 Q. -- sort of not knowing how you got there?

02:16PM 8 A. Yes.

02:16PM 9 Q. Tell the jury what you remember about that occasion.

02:16PM 10 A. I remember going into work. I told my manager I was

02:16PM 11 sick. I didn't make money yet tonight, you know.

02:16PM 12 Q. Who was the manager?

02:16PM 13 A. The manager was Larry. And he gave me some Xanax, which

02:17PM 14 did not help me at all. It actually made me way worse.

02:17PM 15 And after he gave me the Xanax, I don't remember what

02:17PM 16 happened. I just remember laying in a hotel room waking up,

02:17PM 17 no clothes on, and he's gone.

02:17PM 18 Q. Did you feel like sex had been had to your body?

02:17PM 19 A. Yes.

02:17PM 20 Q. Did you mention to people information about that night

02:17PM 21 around Pharaoh's?

02:17PM 22 A. No.

02:17PM 23 Q. You kept it to yourself?

02:17PM 24 A. Yes.

02:17PM 25 Q. Did Larry continue to work there after that?

02:17PM 1 A. Yes.

02:17PM 2 **MR. TRIPI:** Just a moment.

02:17PM 3 **BY MR. TRIPI:**

02:18PM 4 Q. Have other dancers seen you pass out inside Pharaoh's?

02:18PM 5 A. Yes.

02:18PM 6 Q. Have other staff?

02:18PM 7 A. Yes.

02:18PM 8 Q. Was the last year that you worked in Pharaoh's in about
02:18PM 9 2018 or so?

02:18PM 10 A. Yes.

02:18PM 11 Q. Is 2019 the last year that you've used heroin?

02:19PM 12 A. Yes.

02:19PM 13 Q. Looking back, do you think you ever would have used that
02:19PM 14 drug if you didn't work at Pharaoh's?

02:19PM 15 A. No.

02:19PM 16 Q. Do you think you would have been able to stop using that
02:19PM 17 drug if you still worked at Pharaoh's?

02:19PM 18 A. No.

02:19PM 19 Q. When you walked into Pharaoh's for your audition, did you
02:19PM 20 have any intention of having sex in the way that you've
02:19PM 21 described it, for about two days now, with men in exchange
02:19PM 22 for drugs and money?

02:19PM 23 A. No.

02:19PM 24 Q. When you walked into Pharaoh's, did you ever have any
02:19PM 25 intention of having vaginal and oral sex with this defendant

02:19PM 1 in exchange for drugs?

02:19PM 2 A. No.

02:19PM 3 Q. How about with any of his friends or his brother?

02:19PM 4 A. No.

02:19PM 5 Q. How about with any of the men in the VIP Room, van Vleet,
02:19PM 6 Casey, this other guy Dave, any of them?

02:19PM 7 A. No.

02:19PM 8 Q. Barsuk?

02:19PM 9 A. No.

02:19PM 10 Q. Do you feel like you were taken advantage of because of
02:20PM 11 your addiction that developed?

02:20PM 12 A. Yes.

02:20PM 13 **MR. TRIPI:** Just a moment, Judge.

02:20PM 14 No further direct. Thank you, Judge.

02:20PM 15 **THE COURT:** Mr. Soehnlein?

02:20PM 16 **MR. SOEHNLEIN:** Thank you, Judge.

02:20PM 17 Can you please show the witness 3571AM?

02:20PM 18 **THE COURT:** This is just for the witness?

02:20PM 19 **MS. CHAMPOUX:** A-N, as in Nancy?

02:20PM 20 **MR. TRIPI:** Judge, I'm going to object. There's no
02:20PM 21 foundation for showing. There's not even a question on the
02:20PM 22 table yet. We need some foundation.

02:20PM 23

02:20PM 24 **CROSS-EXAMINATION BY MR. SOEHNLEIN:**

02:20PM 25 Q. Ms. L.L., you understand that you're under oath today,

02:20PM

1 correct?

02:20PM

2 A. Yes.

02:20PM

3 Q. And you understand that an obligation of an oath is to

02:20PM

4 tell the truth, correct?

02:20PM

5 A. The.

02:20PM

6 Q. The whole truth, correct?

02:20PM

7 A. Yes.

02:20PM

8 Q. Nothing but the truth, correct?

02:20PM

9 A. Yes.

02:20PM

10 Q. You took the same oath in the grand jury, correct?

02:20PM

11 A. Yes.

02:20PM

12 Q. You understood the oath at that time, correct?

02:20PM

13 A. Yes.

02:20PM

14 Q. Earlier today on direct, you testified that you had sex

02:20PM

15 with about 500 men in the VIP area of Pharaoh's Gentlemen's

02:21PM

16 Club; is that correct?

02:21PM

17 A. Yeah. An estimate. Yeah.

02:21PM

18 Q. Okay.

02:21PM

19 **MR. SOEHNLEIN:** Can you please show the witness from

02:21PM

20 her grand jury transcript 3571AM, page 26, line 16 please.

02:21PM

21 **MS. CHAMPOUX:** A-N as in Nancy, or A --

02:21PM

22 **MR. SOEHNLEIN:** A-M as in mother. If you can show

02:21PM

23 her page 26, please?

02:21PM

24 **BY MR. SOEHNLEIN:**

02:21PM

25 Q. You recall testifying on September 7th, 2023?

02:21PM 1 A. If that's the day, I don't have nothing saying I
02:21PM 2 testified that day, so I don't -- I can't say yes.

02:21PM 3 **MR. SOEHNLEIN:** I'm sorry, can you show her the first
02:21PM 4 page now, please?

02:21PM 5 **BY MR. SOEHNLEIN:**

02:22PM 6 Q. Okay. Do you see where it says September 7th, 2023?

02:22PM 7 A. Yes.

02:22PM 8 Q. Does that refresh your recollection that you testified in
02:22PM 9 the grand jury on September 7th, 2023?

02:22PM 10 A. Yes.

02:22PM 11 Q. Mr. Tripi was asking you questions that day?

02:22PM 12 A. Yes.

02:22PM 13 Q. That was in this building?

02:22PM 14 A. Yes.

02:22PM 15 Q. You were under oath?

02:22PM 16 A. Yes.

02:22PM 17 Q. Okay.

02:22PM 18 **MR. SOEHNLEIN:** Okay. Can you show her page 26,
02:22PM 19 please?

02:22PM 20 **BY MR. SOEHNLEIN:**

02:22PM 21 Q. And, once again, earlier today you said the number was
02:22PM 22 500, correct?

02:22PM 23 A. Yes.

02:22PM 24 Q. Okay. On that date in September, were you asked the
02:22PM 25 following question, and did you give the following answer,

reading from line 16:

"Question: First during your tenure at Pharaoh's, approximately how many man after you developed your addiction did you engage in sex acts in the VIP area of Pharaoh's with?

"Answer: About 25."

Did you give that response to that question?

MR. TRIPI: I have a 106 objection, Your Honor, I'd like a -- Judge, if you have it up, my 106 objection goes through line 24.

MR. SOEHNLEIN: Okay. We'll do the whole thing. That's fine.

MR. TRIPI: I think the judge is --

THE COURT: Hang on. I think Mr. Soehnlein is going to withdraw that question.

MR. SOEHNLEIN: Yeah, we'll keep going that's fine.

BY MR. SOEHNLEIN:

Q. Okay. So on September 7th of 2023, were you asked the following questions, and did you give the following answers:

"Question: First, during your tenure at Pharaoh's approximately how many men after you developed your addiction did you engage in sex acts in the VIP area of Pharaoh's with?

"Answer: About 25.

"Question: And that's an approximation?

"Answer: Yeah.

"Question: And how many sex acts would you estimate over

02:23PM 1 time among those 25 men down in the VIP area?

02:23PM 2 "Answer: A couple hundred."

02:23PM 3 Did I read that accurately?

02:23PM 4 A. Yes.

02:23PM 5 Q. Did you answer those questions?

02:23PM 6 A. I did, yes.

02:23PM 7 Q. You were asked those questions?

02:23PM 8 A. Yes.

02:23PM 9 Q. And you gave those answers, correct?

02:23PM 10 A. Yes.

02:23PM 11 Q. And today you estimated 500 men, correct?

02:23PM 12 A. Yes.

02:23PM 13 **MR. SOEHNLEIN:** Okay. You can take that down.

02:23PM 14 **BY MR. SOEHNLEIN:**

02:23PM 15 Q. Now, in between the time that you were asked those

02:23PM 16 questions and gave those answers, the government has given

02:24PM 17 you a lot of benefits, correct?

02:24PM 18 A. For one year? Sure. This has been going on for five,

02:24PM 19 six years.

02:24PM 20 Q. Yeah. And you're right. They've -- at times they've

02:24PM 21 paid for your car insurance, correct?

02:24PM 22 A. Correct.

02:24PM 23 Q. And they've helped you find a new car, correct?

02:24PM 24 A. A new car? No.

02:24PM 25 Q. They provided Uber to you, correct?

02:24PM

1 A. Yeah.

02:24PM

2 Q. Yeah. And they've provided housing to you, correct?

02:24PM

3 A. Yes.

02:24PM

4 Q. And they drove you to and from medical appointments,

02:24PM

5 correct?

02:24PM

6 A. Yes.

02:24PM

7 Q. And they also offered to help you with your child custody

02:24PM

8 case, correct?

02:24PM

9 A. No.

02:24PM

10 Q. You don't recall that?

02:24PM

11 A. Well, if they offered to help me, I didn't really get

02:24PM

12 help with it. I mean, you know what I mean?

02:24PM

13 Q. It was your understanding that they were gonna help you

02:24PM

14 with your child custody case; isn't that right?

02:24PM

15 A. Yes. And then that all stopped.

02:24PM

16 Q. Hang on. When you started cooperating with the

02:25PM

17 government, it was your understanding that they were gonna to

02:25PM

18 help you get custody of your older child, correct?

02:25PM

19 A. I didn't ask them until about seven months in the trial.

02:25PM

20 Q. Okay. And it was your understanding that they were going

02:25PM

21 to help you, correct?

02:25PM

22 A. Okay. Correct.

02:25PM

23 Q. Yeah. Okay.

02:25PM

24 A. I thought I said no.

02:25PM

25 Q. So we're gonna talk a little bit today about some things

1 that you regret, okay? And we're going to skip around at
2 times in your life, okay?

3 A. Yeah.

4 Q. If at any point in time you are confused about a
5 question, I want you to let me know. Can you do that for me?

6 A. Yes.

7 Q. Okay. If at any point in time you need to take a break,
8 I want you to tell me you need a break, okay?

9 A. All right.

10 Q. All right? I just ask that you not ask when a question
11 is pending, okay? So if I ask a question, you can give the
12 answer, and then you can ask for a break, okay? Is that fair
13 enough?

14 A. Okay. Fair.

15 Q. Now, do you feel like you were adequately prepared to
16 give your testimony?

17 A. I wasn't, like, prepared. But I --

18 Q. Go ahead, finish.

19 A. I wasn't prepared at first because it all just popped up.
20 You know what I mean? I didn't know anything about it. I
21 didn't know it was even happening until somebody showed up at
22 my house seven hours away.

23 Q. Okay. So, when you took the oath last Friday, you recall
24 that, right?

25 A. Yeah.

02:26PM 1 Q. You were right here, correct?

02:26PM 2 A. Yes.

02:26PM 3 Q. Okay. And did you feel like you were adequately prepared

02:26PM 4 to answer questions at that time?

02:26PM 5 A. Yeah.

02:26PM 6 Q. Okay. And what did you do to prepare to answer those

02:26PM 7 questions at that time or prior to that time?

02:26PM 8 A. I had just met with Tripi.

02:26PM 9 Q. Okay. And when did you meet with Tripi?

02:26PM 10 A. Couple weeks ago.

02:26PM 11 Q. Okay. And who else was there?

02:27PM 12 A. Brian.

02:27PM 13 Q. Okay. Is that Mr. Burns back there?

02:27PM 14 A. Yes.

02:27PM 15 Q. Okay. How about Special Agent Smaldino? Was she there?

02:27PM 16 A. No.

02:27PM 17 Q. Anybody else?

02:27PM 18 A. Jackie.

02:27PM 19 Q. Okay.

02:27PM 20 A. And I don't know the other person's name.

02:27PM 21 Q. Okay.

02:27PM 22 A. I never met him.

02:27PM 23 Q. Is your understanding that Jackie is also an FBI agent?

02:27PM 24 A. Yes.

02:27PM 25 Q. Now she's not at any of the tables behind me, correct?

02:27PM

1 A. No.

02:27PM

2 Q. Okay. And then there was another special agent that was

02:27PM

3 there as well?

02:27PM

4 A. Yes.

02:27PM

5 Q. Okay. And that person's not at the tables behind me,

02:27PM

6 correct?

02:27PM

7 A. Right.

02:27PM

8 Q. Okay. Is that person in the gallery back there, do you

02:27PM

9 see in the courtroom?

02:27PM

10 A. Who?

02:27PM

11 Q. The other person that you didn't remember their name, are

02:27PM

12 they in the courtroom?

02:27PM

13 A. Yeah.

02:27PM

14 Q. Okay. Can you point them out?

02:27PM

15 A. I mean, I don't know if he was there.

02:27PM

16 Q. Are you talking --

02:27PM

17 A. Bobby.

02:27PM

18 Q. Are you pointing to the gentleman in the back who just

02:27PM

19 raised his hand?

02:27PM

20 A. Yes.

02:27PM

21 Q. Okay. You said you weren't sure if he was there?

02:28PM

22 A. Right.

02:28PM

23 Q. He might have been, he might not have been?

02:28PM

24 A. Right.

02:28PM

25 Q. Okay. And this --

02:28PM 1 A. But you asked me if I knew somebody back there.

02:28PM 2 Q. I was asking who else was at the meeting with Tripi that

02:28PM 3 prepared you for this testimony. The meeting we were just

02:28PM 4 talking about.

02:28PM 5 A. I -- I just named them all.

02:28PM 6 Q. Okay. And it included that gentleman in the back?

02:28PM 7 A. I -- I'm not sure if he was there in the rooms with me.

02:28PM 8 Q. Okay.

02:28PM 9 A. I just know his face.

02:28PM 10 Q. Okay.

02:28PM 11 A. That's all I can say.

02:28PM 12 Q. And that meeting was a couple weeks ago?

02:28PM 13 A. Yes.

02:28PM 14 Q. Okay. Was it in the month of November?

02:28PM 15 A. December.

02:28PM 16 Q. It was in the month of December? Okay.

02:28PM 17 And approximately how long was that meeting?

02:28PM 18 A. Hour and a half.

02:28PM 19 Q. Okay. Now, you don't have a lawyer, correct?

02:28PM 20 A. Correct.

02:28PM 21 Q. So, when you meet with the government, you're meeting on

02:28PM 22 your own, correct?

02:28PM 23 A. Correct.

02:28PM 24 Q. Okay. And is there any material that you wanted to

02:28PM 25 review before your testimony that you didn't get a chance to?

02:29PM

1

MR. TRIPI: Object to the relevance here, Judge.

02:29PM

2

THE WITNESS: No.

02:29PM

3

THE COURT: Overruled.

02:29PM

4

BY MR. SOEHNLEIN:

02:29PM

5

Q. No? You saw all the material that you wanted to see,

02:29PM

6

correct?

02:29PM

7

A. Yes.

02:29PM

8

Q. Okay. And I assume there's nothing about your testimony

02:29PM

9

that you want to change at this time?

02:29PM

10

MR. TRIPI: Objection. It's not a proper question.

02:29PM

11

THE WITNESS: Correct.

02:29PM

12

MR. SOEHNLEIN: Okay.

02:29PM

13

THE COURT: No, no, overruled.

02:29PM

14

She answered. Go ahead.

02:29PM

15

BY MR. SOEHNLEIN:

02:29PM

16

Q. Okay. Now, I want to talk to you a little bit about your

02:29PM

17

substance abuse history, okay?

02:29PM

18

I think you testified that you've been to rehab before,

02:29PM

19

correct?

02:29PM

20

A. Yes.

02:29PM

21

Q. How many times have you been to rehab?

02:29PM

22

A. Since I started working at Pharaoh's, until now, about

02:29PM

23

five times.

02:29PM

24

Q. Okay. And when -- when were those rehab stints?

02:29PM

25

A. They were all 2016, '17, '18. And the last one was 2019

02:30PM 1 when I got off the heroin.

02:30PM 2 Q. Okay. And those stints, were they inpatient?

02:30PM 3 A. Yes.

02:30PM 4 Q. Okay. So you'd go to rehab, and you'd be basically out

02:30PM 5 of the general public, correct? You'd be in a hospital

02:30PM 6 setting, correct?

02:30PM 7 A. Yeah.

02:30PM 8 Q. Do you recall where they were?

02:30PM 9 A. White Deer Run. Clearview in Lewiston. And Horizon, 291

02:30PM 10 Elm.

02:30PM 11 Q. Okay. And white Deer Run, that's in Pennsylvania,

02:30PM 12 correct?

02:30PM 13 A. Yes.

02:30PM 14 Q. You named one that's in Lewiston, that's in Niagara

02:30PM 15 County, correct?

02:30PM 16 A. Yes.

02:30PM 17 Q. And then one that's here on Elmwood Avenue; is that

02:30PM 18 correct?

02:30PM 19 A. I don't know if it's on Elmwood? Elm Street? 291 Elm

02:30PM 20 Street? I'm not sure.

02:30PM 21 Q. It's here in Buffalo, correct?

02:30PM 22 A. Yeah.

02:30PM 23 Q. And when you went to rehab, did you have people that

02:30PM 24 helped get you checked into rehab?

02:30PM 25 A. Like the workers?

02:30PM 1 Q. No. I mean, like, family, friends, people like that.

02:31PM 2 People that were supporting you going to rehab?

02:31PM 3 A. Yes.

02:31PM 4 Q. Who were those people?

02:31PM 5 A. My parents.

02:31PM 6 Q. And you -- you have -- I'm sensing you have a close

02:31PM 7 relationship with your parents, correct?

02:31PM 8 A. On and off.

02:31PM 9 Q. On and off? Okay. They're part of your life, correct?

02:31PM 10 A. On and off.

02:31PM 11 Q. On and off. And they've been there for you over time,

02:31PM 12 correct?

02:31PM 13 A. Yeah.

02:31PM 14 Q. All right. And they're -- they're still in your life

02:31PM 15 now, correct?

02:31PM 16 A. Right.

02:31PM 17 Q. Now, each of those times that you went to rehab that we

02:31PM 18 were talking about, you obtained sobriety, correct?

02:31PM 19 A. Yes.

02:31PM 20 Q. Okay. And each of those times, you chose to go back to

02:31PM 21 work at Pharaoh's, correct?

02:31PM 22 A. Yes.

02:31PM 23 Q. Okay. So, just so I understand it, at least in '16, '17,

02:31PM 24 '18, at least three of those times, you had left Pharaoh's to

02:31PM 25 go to drug rehab, correct?

02:31PM

1 A. Yes.

02:31PM

2 Q. You had achieved sobriety, correct?

02:31PM

3 A. Yes.

02:31PM

4 Q. And then you chose to go back to work at Pharaoh's again,

02:31PM

5 correct?

02:31PM

6 A. Correct.

02:31PM

7 Q. And when you chose to go back to work at Pharaoh's again,

02:32PM

8 you represented to people at Pharaoh's that you were clean,

02:32PM

9 correct?

02:32PM

10 A. Yes.

02:32PM

11 Q. You represented that you were sober, correct?

02:32PM

12 A. Yes.

02:32PM

13 Q. You represented that the old you was done and over with,

02:32PM

14 correct?

02:32PM

15 A. Yes.

02:32PM

16 Q. You made a representation that you weren't going to be

02:32PM

17 the same person anymore, correct?

02:32PM

18 A. Yes.

02:32PM

19 Q. You told them that you weren't going to use drugs in the

02:32PM

20 club anymore, correct?

02:32PM

21 A. Yes.

02:32PM

22 Q. You told them that you weren't going to do heroin

02:32PM

23 anymore, correct?

02:32PM

24 A. Yes.

02:32PM

25 Q. You told them you weren't going to do cocaine anymore,

02:32PM 1 correct?

02:32PM 2 A. Yes.

02:32PM 3 Q. You told them that you had turned over a new leaf,

02:32PM 4 correct?

02:32PM 5 A. I mean, I don't come out of rehab and say, like,

02:32PM 6 everything you're saying, no.

02:32PM 7 Q. Okay. But certainly, you had achieved sobriety, correct?

02:32PM 8 A. Right.

02:32PM 9 Q. And you told them that you had been to rehab, correct?

02:32PM 10 A. Yes.

02:32PM 11 Q. And you came and asked for your job back, right?

02:32PM 12 A. Right.

02:32PM 13 Q. Okay. Now, no one forced you to go back and try to get

02:32PM 14 the job again, right?

02:32PM 15 A. Correct.

02:32PM 16 Q. That was something you wanted to do, right?

02:32PM 17 A. I wanted to go back to work, yes. But I didn't want to

02:32PM 18 use.

02:33PM 19 Q. Okay. I understand that. But you wanted to go back to

02:33PM 20 work, right?

02:33PM 21 A. Yeah.

02:33PM 22 Q. And you knew what Pharaoh's was at that point in time,

02:33PM 23 correct?

02:33PM 24 A. Yes. But --

02:33PM 25 Q. Because you had been there before, correct?

02:33PM 1 A. -- there were supposed to be --

02:33PM 2 Q. You were --

02:33PM 3 A. -- changes made --

02:33PM 4 **MR. TRIPI:** Objection. She's answering the question.

02:33PM 5 **THE COURT:** No, no. If he's asking "yes" or "no"

02:33PM 6 answers, and he wants "yes" or "no" answers, he can get "yes"

02:33PM 7 or "no" answers.

02:33PM 8 Overruled.

02:33PM 9 **BY MR. SOEHNLEIN:**

02:33PM 10 Q. Okay. And each of those times involved a discussion with
02:33PM 11 management, correct? Before you came back?

02:33PM 12 A. Yes.

02:33PM 13 Q. Yeah. They didn't just let you show up and start working
02:33PM 14 again after rehab, correct?

02:33PM 15 A. Before I talked to someone, you mean?

02:33PM 16 Q. Yeah.

02:33PM 17 A. You always have to talk to someone before you come.

02:33PM 18 Q. Exactly.

02:33PM 19 A. Yeah.

02:33PM 20 Q. And you represented to them that you had been to rehab,
02:33PM 21 correct? Correct?

02:33PM 22 A. I mean, I don't know if every time I came back I was
02:33PM 23 like, oh, I just got out of rehab. No, I don't know that.

02:33PM 24 Q. Okay. Well, you also were fired from Pharaoh's, correct?

02:33PM 25 A. Correct.

02:33PM 1 Q. Several times, correct?

02:34PM 2 A. I wouldn't say several, I'd say maybe three.

02:34PM 3 Q. All right. So you're fired from Pharaoh's three times,

02:34PM 4 correct? Correct?

02:34PM 5 A. Yes.

02:34PM 6 Q. And each of those times was for drug use, correct?

02:34PM 7 A. Yes.

02:34PM 8 Q. Yeah. You were using drugs at the club, correct?

02:34PM 9 A. Right.

02:34PM 10 Q. They fired you, right?

02:34PM 11 A. Right.

02:34PM 12 Q. You went to rehab, right?

02:34PM 13 A. Right.

02:34PM 14 Q. You came back, right?

02:34PM 15 A. Yes.

02:34PM 16 Q. Your choice, right?

02:34PM 17 A. Yes.

02:34PM 18 Q. All right. They didn't say, hey, you have to come back

02:34PM 19 after rehab, right?

02:34PM 20 A. No.

02:34PM 21 Q. No. It was your choice, your decision, right?

02:34PM 22 A. Okay.

02:34PM 23 Q. Yeah. That's what you wanted to do, I get it. That's

02:34PM 24 what you wanted to do, right?

02:34PM 25 A. I wanted to be involved with prostitution? Oh, yeah,

1 that's really what I wanted.

2 But once you're stuck in that life, it's hard to get out.

3 Q. Well, so first, just answer my question.

4 You wanted to go back at the time, correct?

5 A. Yes. You just asked that five times.

6 **THE WITNESS:** I'm sorry, Judge.

7 **BY MR. SOEHNLEIN:**

8 Q. Yeah. And I understand. Look, you understand I have a
9 job to do, right?

10 A. Right.

11 Q. It's my job to ask questions, right? You understand
12 that?

13 A. Yeah.

14 Q. Okay. And we're gonna get through it, okay?

15 A. Okay.

16 Q. All right. I understand this isn't pleasant. I know
17 that. Okay? And I hope that you can understand I'm just
18 going to ask questions, okay?

19 Do you need a minute? It's okay. It's okay.

20 Let me know when you're ready.

21 A. Go ahead. You can go.

22 Q. Are you okay?

23 A. Yes.

24 Q. Do you need a break? All right.

25 Now, when was the first time you used illegal substances?

02:35PM 1 A. First time? At Pharaoh's.

02:35PM 2 Q. The very first time was at Pharaoh's?

02:35PM 3 A. Yes.

02:35PM 4 Q. Okay. Now, I think you testified earlier that you got

02:36PM 5 that from D.P., correct?

02:36PM 6 A. Yes.

02:36PM 7 Q. Who was another dancer, correct?

02:36PM 8 A. Yes.

02:36PM 9 Q. She was a friend of yours, correct?

02:36PM 10 A. Yes.

02:36PM 11 Q. And she offered you the drugs, correct?

02:36PM 12 A. Yes.

02:36PM 13 Q. And you chose to do them, correct?

02:36PM 14 A. Yes.

02:36PM 15 Q. Okay. She didn't say, hey, these are drugs from Peter or

02:36PM 16 anything like that, correct?

02:36PM 17 A. Right.

02:36PM 18 Q. They were drugs from her, right?

02:36PM 19 A. Yes.

02:36PM 20 Q. All right. And you used them with your friend, correct?

02:36PM 21 A. I used her as my friend?

02:36PM 22 Q. I'm sorry, you used the drugs with your friend?

02:36PM 23 A. Oh, yes.

02:36PM 24 Q. Yeah. With your friend D.P., correct?

02:36PM 25 A. Yes.

02:36PM 1 Q. And you enjoyed them, right?

02:36PM 2 A. No, you don't enjoy it. You don't enjoy having to do
02:36PM 3 something just to feel normal.

02:36PM 4 Q. Well, but the first time that you used drugs, is it your
02:36PM 5 testimony that you didn't enjoy that?

02:36PM 6 A. Okay. So, whatever, I enjoyed it in the beginning.

02:37PM 7 Okay.

02:37PM 8 Q. Okay. And so you used it, you enjoyed it, and you made a
02:37PM 9 decision to use it again a second time, correct?

02:37PM 10 A. Yes.

02:37PM 11 Q. All right. And then you made a decision to use a third
02:37PM 12 time, correct?

02:37PM 13 A. Yes.

02:37PM 14 Q. And you made a decision to use a fourth time, correct?

02:37PM 15 A. Yes.

02:37PM 16 Q. And at some point, you made a decision to use a fiftieth
02:37PM 17 time, right?

02:37PM 18 A. Well, after your fourth time, you're addicted.

02:37PM 19 Q. Okay. But let's talk about that.

02:37PM 20 Just because you're addicted doesn't mean that you're not
02:37PM 21 able to make a choice, does it?

02:37PM 22 A. No. You're right.

02:37PM 23 Q. Yeah. Even though you're addicted, you can still choose
02:37PM 24 whether to do or not to do something, right?

02:37PM 25 A. Right.

02:37PM 1 Q. Like at points in time when you were addicted, you chose
02:37PM 2 to go to rehab, right?

02:37PM 3 A. Yes.

02:37PM 4 Q. Nobody was making you go to rehab, right?

02:37PM 5 A. I mean, at times I was made to go, yes.

02:37PM 6 Q. Okay. But it was something that you wanted to do, right?

02:38PM 7 A. Right.

02:38PM 8 Q. You made the conscious decision, hey, now I'm going to
02:38PM 9 try and get better, right?

02:38PM 10 A. Right.

02:38PM 11 Q. And you were able to do that even though you were
02:38PM 12 addicted, right?

02:38PM 13 A. Yes.

02:38PM 14 Q. All right. And when you're addicted, you make other
02:38PM 15 decisions. You decide whether or not you're gonna get behind
02:38PM 16 a wheel of a car, don't you?

02:38PM 17 A. Yes.

02:38PM 18 Q. Right? And if you're arrested behind a wheel of a car
02:38PM 19 when you're addicted, the addiction is not a defense, is it?

02:38PM 20 A. No.

02:38PM 21 Q. And you can do other things that are illegal when you're
02:38PM 22 addicted, and the addiction is not a defense to that either,
02:38PM 23 is it?

02:38PM 24 A. No.

02:38PM 25 Q. So just because you're addicted doesn't mean that you

02:38PM 1 can't make choices, correct?

02:38PM 2 A. Correct.

02:38PM 3 Q. The addiction might impact your choice, right?

02:38PM 4 A. Yes.

02:38PM 5 Q. It might be a consideration behind the choice, right?

02:38PM 6 Right?

02:38PM 7 A. Yes.

02:38PM 8 Q. But you're still making the choice, right?

02:38PM 9 A. Yes.

02:38PM 10 Q. Okay. And your addiction started when you chose to use

02:38PM 11 drugs with your friend D.P., correct?

02:39PM 12 A. Yes.

02:39PM 13 Q. And then you chose to use drugs again, correct?

02:39PM 14 A. Yes.

02:39PM 15 Q. And again, correct? Right?

02:39PM 16 A. Yes.

02:39PM 17 Q. And again, correct?

02:39PM 18 A. Yes. Yes. Yes.

02:39PM 19 Q. Okay. All right. Mr. Gerace didn't get you addicted to

02:39PM 20 drugs, correct?

02:39PM 21 A. I would say he had a part in it.

02:39PM 22 Q. Well, you were working at his business when you got

02:39PM 23 addicted, right?

02:39PM 24 A. Right.

02:39PM 25 Q. Okay. It was a bar, right?

02:39PM

1 A. Yeah.

02:39PM

2 Q. Okay. Now, you had been through Lake Shore High School,
3 right?

02:39PM

02:39PM

4 A. Right.

02:39PM

5 Q. And when you went to Lake Shore, did they have a DARE
6 program or something like that that you went through?

02:39PM

02:39PM

7 A. No.

02:39PM

8 Q. They didn't give you any substance abuse resistance
9 education?

02:39PM

02:39PM

10 A. Not where I went.

02:39PM

11 Q. No? No one ever told you before you started working at
12 Pharaoh's, hey, drugs are addictive?

02:39PM

02:39PM

13 A. Not really. My family isn't supportive. Like, I'm
14 basically on my own.

02:40PM

02:40PM

15 Q. Okay. But, so you mean to tell me that when you started
16 using drugs at Pharaoh's Gentlemen's Club, you had no idea
17 that they would be addictive?

02:40PM

02:40PM

18 A. Honestly, no, that is not what runs through your head.

02:40PM

02:40PM

19 Q. Okay. But you had no concept of that at the time that
20 you started using drugs?

02:40PM

02:40PM

21 A. No.

02:40PM

22 Q. The first drug you used ever was heroin?

02:40PM

23 A. Yes.

02:40PM

24 Q. And you had absolutely no idea that heroin was addictive?

02:40PM

25 A. No. That was the first drug that I've ever used, and I

02:40PM 1 had no idea.

02:40PM 2 Q. Even though you graduated from Lake Shore High School?

02:40PM 3 A. Yes. Even though I graduated. Sometimes I just don't
02:40PM 4 have common sense.

02:40PM 5 Q. Okay. Fair enough.

02:40PM 6 Now, when you were addicted, Pharaoh's was not the only
02:40PM 7 place where you could get drugs, correct?

02:40PM 8 A. Right.

02:40PM 9 Q. You got drugs from other places, right?

02:40PM 10 A. Yes.

02:40PM 11 Q. You got drugs -- I think I saw on some of your testimony
02:41PM 12 you would go down to the East Side and get heroin at times,
02:41PM 13 correct?

02:41PM 14 A. Yes.

02:41PM 15 Q. And you would get cocaine from other friends and
02:41PM 16 associates outside of Pharaoh's. Correct?

02:41PM 17 A. Yes.

02:41PM 18 Q. Okay. So, fair to say that if you lost your job at
02:41PM 19 Pharaoh's, you still knew that there were other places where
02:41PM 20 you could get drugs, correct?

02:41PM 21 A. Yes.

02:41PM 22 Q. Okay. You knew that you could go down to -- I think it
02:41PM 23 was Genesee and Bailey, and you'd be able to get heroin there
02:41PM 24 if you needed to, correct?

02:41PM 25 A. Yes.

02:41PM 1 Q. And you knew that you had other friends independent of
02:41PM 2 Pharaoh's where you could get cocaine, correct?

02:41PM 3 A. Yes.

02:41PM 4 Q. So your accessibility to drugs was not tied to Pharaoh's
02:41PM 5 Gentlemen's Club, correct?

02:41PM 6 A. Not correct.

02:41PM 7 Q. Well, you talked about some other independent places
02:41PM 8 where you're able to get drugs, correct?

02:41PM 9 A. What?

02:41PM 10 Q. Strike that.

02:41PM 11 There was a time, you talked about your relationship with
02:41PM 12 Mr. Casey --

02:41PM 13 A. Yes.

02:41PM 14 Q. -- do you recall that? Okay.

02:41PM 15 And you talked about a time that you and D.P. went out to
02:41PM 16 dinner with him; do you remember that?

02:42PM 17 A. Yes.

02:42PM 18 Q. And then at dinner, you talked about having sex for
02:42PM 19 money, correct?

02:42PM 20 A. Yes.

02:42PM 21 Q. And that dinner was at Dinosaur Barbecue down here,
02:42PM 22 right?

02:42PM 23 A. Right.

02:42PM 24 Q. It was not at Pharaoh's, right?

02:42PM 25 A. Yes.

02:42PM 1 Q. And then you went back to his place and you had sex for
02:42PM 2 money correct?

02:42PM 3 A. Yes.

02:42PM 4 Q. And then in connection with that, you also went and got
02:42PM 5 heroin on the East Side of Buffalo, correct?

02:42PM 6 A. You mean that same day?

02:42PM 7 Q. That's my understanding of it. Is that wrong?

02:42PM 8 A. Could -- now I have to sit here and rethink about that
02:42PM 9 whole story.

02:42PM 10 Like, I'm not sure if it was the same day. Is there
02:42PM 11 something I can read?

02:42PM 12 Q. There could, but I want to ask you a question. Why did
02:42PM 13 you just call it a story?

02:42PM 14 A. A what?

02:42PM 15 Q. Why did you just call it a story?

02:42PM 16 A. Because there is so many things going on in this trial,
02:42PM 17 that it jumps around. You know what I mean? They're little
02:42PM 18 different stories to me.

02:42PM 19 Q. Okay.

02:42PM 20 A. Like, and it's hard to just sit here and think about
02:43PM 21 them.

02:43PM 22 Q. It's hard to keep them straight?

02:43PM 23 A. Yeah. When it happened, how long ago.

02:43PM 24 Q. Yeah. And about that, substance abuse impacts your
02:43PM 25 memory, right?

02:43PM

1 A. Yeah.

02:43PM

2 Q. Yeah. If you're using substances heavily, it's difficult

02:43PM

3 to form memories, correct?

02:43PM

4 A. It can be.

02:43PM

5 Q. Yeah. And it also changes your perception of things,

02:43PM

6 doesn't it?

02:43PM

7 A. Yes.

02:43PM

8 Q. When you're using substances, and you're addicted, you're

02:43PM

9 hyper focused on substances, correct? Right?

02:43PM

10 A. Yes.

02:43PM

11 Q. And you're hyper focused on getting the drugs, correct?

02:43PM

12 A. Yes.

02:43PM

13 Q. And so you might ignore or fail to perceive other things

02:43PM

14 that are going on, correct?

02:43PM

15 A. Yes.

02:43PM

16 Q. Okay. And -- and certainly, it impairs your ability to

02:43PM

17 make memories, correct?

02:43PM

18 A. Yes. I'll agree that, yeah.

02:43PM

19 Q. Yeah. And it impairs your ability to recall memories,

02:43PM

20 correct?

02:44PM

21 A. It can.

02:44PM

22 Q. Okay.

02:44PM

23 A. Not always.

02:44PM

24 Q. Okay. I'm just briefly, just for the -- for the --

02:44PM

25 actually, for everybody because the photo's --

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MR. SOEHNLEIN: Is 490B in evidence?

Can you show the witness 490B real quick? And, I'm
sorry, can you zoom in on this bottom photo right there?

BY MR. SOEHNLEIN:

Q. Do you recognize those people?

A. No.

MR. SOEHNLEIN: Okay. You can take that down.

Okay. We'll come back to that in a little bit.

BY MR. SOEHNLEIN:

Q. So just as a kind of capstone to that, your drug abuse
from 2013 to 2018 was very heavy, fair to say?

A. Very what? Heavy?

Q. Very heavy?

A. Yeah.

Q. Yeah. You were using multiple times a day, correct?

A. Yes.

Q. Every day, correct?

A. Yes.

Q. Except for those times we talk about in rehab, correct?

A. Yes.

Q. By the way, when you went to the rehab, how long would
the rehab stints be?

A. 28 days.

Q. Pretty good chunks of time, about a month, right?

A. Yes.

02:45PM 1 Q. And what kind of treatment would you get there?

02:45PM 2 A. I would obviously get substance treatment and mental

02:45PM 3 health, because I went to a dual place.

02:45PM 4 Q. Okay. And when you say "mental health," that's like you

02:45PM 5 meet with a counsellor one on one, correct?

02:45PM 6 A. Yes.

02:45PM 7 Q. And they talk about, you know, how you're feeling about

02:45PM 8 substances, correct?

02:45PM 9 A. Right.

02:45PM 10 Q. And they talk about certain triggers for substance abuse,

02:45PM 11 correct?

02:45PM 12 A. Yes.

02:45PM 13 Q. And they talk about the way that certain stressors may

02:45PM 14 impact your substance abuse, correct?

02:45PM 15 A. Yes.

02:45PM 16 Q. And maybe they talk about being in certain situations

02:45PM 17 that might -- that might trigger substance abuse, correct?

02:46PM 18 A. Yeah.

02:46PM 19 Q. And when you were meeting with those mental health

02:46PM 20 counselors, you were open and honest, correct?

02:46PM 21 A. Yes.

02:46PM 22 Q. And you talked to them about your drug -- drug abuse in

02:46PM 23 the past, correct?

02:46PM 24 A. Yes.

02:46PM 25 Q. And you talked to them about your work at Pharaoh's,

02:46PM 1 correct?

02:46PM 2 A. Yes.

02:46PM 3 Q. Right? And you talked to them about how you had used

02:46PM 4 drugs in the past at Pharaoh's, correct?

02:46PM 5 A. Yes.

02:46PM 6 Q. All right. And presumably they made some recommendations

02:46PM 7 to you, correct?

02:46PM 8 A. Yes.

02:46PM 9 Q. Yeah. And presumably they told you not to go back into
02:46PM 10 those circumstances --

02:46PM 11 **MR. TRIPI:** Objection.

02:46PM 12 **MR. SOEHNLEIN:** -- where --

02:46PM 13 **THE COURT:** Let him finish the question.

02:46PM 14 **BY MR. SOEHNLEIN:**

02:46PM 15 Q. Okay. Presumably they told you not to go back into those
02:46PM 16 circumstances, that might be triggers for substance abuse
02:46PM 17 correct?

02:46PM 18 **MR. TRIPI:** Objection.

02:46PM 19 **THE COURT:** Hang on. Stop. Stop. Stop.

02:46PM 20 **MR. TRIPI:** Objection.

02:46PM 21 **THE COURT:** Basis?

02:46PM 22 **MR. TRIPI:** Hearsay, and doctor/patient privilege.

02:46PM 23 **THE COURT:** Overruled.

02:46PM 24 **MR. SOEHNLEIN:** Can you read back the question?

02:46PM 25 Thank you.

(The above-requested question was then read by the reporter.)

MR. TRIPI: Objection, speculation. I caught the -- I caught the first word now, Judge, so calls for speculation.

THE COURT: Presumably.

MR. TRIPI: Yeah.

THE COURT: Do you want to withdraw and rephrase, Mr. Soehnlein?

MR. SOEHNLEIN: Sure.

BY MR. SOEHNLEIN:

Q. They told you not to put yourself in circumstances where you would be likely to use, correct?

A. They work with you to work on that.

Q. Okay.

A. Not go back to that.

Q. Okay.

A. And it doesn't happen overnight.

Q. I get it. I get it. It might not even happen over 28 days, right?

A. Right.

Q. Yeah. It might not even happen over three stints, correct?

A. Depending on the person.

Q. Right. Okay. But you had that therapy in those inpatient stints, correct?

02:47PM 1 A. I didn't have no mental health therapy at that time.

02:47PM 2 I've only been getting that since 2019.

02:47PM 3 Q. So, I'm sorry. Earlier I asked you about those stints in

02:48PM 4 '16, '17, and '18, and you said you had dual therapy; do you

02:48PM 5 recall that testimony?

02:48PM 6 A. Well one of them -- one of the rehabs was dual, yes.

02:48PM 7 Q. Okay.

02:48PM 8 A. They do not do one on one with you there because it's

02:48PM 9 only 28 and 800 people.

02:48PM 10 Q. Okay. So you had -- so the therapy you were talking

02:48PM 11 about was in a group setting, correct?

02:48PM 12 A. Right.

02:48PM 13 Q. But it went through some of the same things that we

02:48PM 14 talked about earlier, correct?

02:48PM 15 A. Yes.

02:48PM 16 Q. Okay. And you were discharged from that therapy,

02:48PM 17 correct?

02:48PM 18 A. Like -- yeah.

02:48PM 19 Q. Okay. And you went back to work at Pharaoh's again,

02:48PM 20 correct?

02:48PM 21 A. Yes.

02:48PM 22 Q. Okay. You -- there was some testimony about this, you

02:48PM 23 were first contacted by the government in July of 2020; do

02:48PM 24 you recall that testimony?

02:48PM 25 A. Yes.

02:48PM 1 Q. Yeah. And New York State Police investigator and another
02:48PM 2 investigator came to your house in Pennsylvania; do you
02:49PM 3 recall that?

02:49PM 4 A. Yes.

02:49PM 5 Q. And they interviewed you, correct?

02:49PM 6 A. Yes.

02:49PM 7 Q. And then about eight days later, you came up to probably
02:49PM 8 this building, and you provided grand jury testimony; do you
02:49PM 9 recall that?

02:49PM 10 A. Yes.

02:49PM 11 Q. Okay. So what I'd like to do with you, if I could get
02:49PM 12 your help with something. I want to go through each time
02:49PM 13 that you talked with the government, because I want to make
02:49PM 14 sure that we keep it straight.

02:49PM 15 So if I give you a pad and a sheet of paper, can you just
02:49PM 16 write down the dates while I talk about them?

02:49PM 17 **MR. TRIPI:** Objection.

02:49PM 18 **THE COURT:** Objection to what?

02:49PM 19 **MR. TRIPI:** Having her write down dates. He can work
02:49PM 20 through the documents and refresh her recollection --

02:49PM 21 **THE COURT:** No.

02:49PM 22 **MR. TRIPI:** -- rather than have her --

02:49PM 23 **THE COURT:** No, he can have her write down dates if
02:49PM 24 he wants. Overruled.

25

2 Q. Okay. And I'm gonna guess that some of these dates are a
3 little spotty, a little fuzzy to you. So if there's
4 something that you don't recall, just let me know and I'll
5 show you documents to refresh, okay?

7 Q. So the first time was on -- where's my notes here,
8 7/8/20; do you recall that?

10 Q. Where you talked to law enforcement, that's correct.

12 Q. And when I say "law enforcement" what I mean is either an
13 investigator, or a prosecutor who's working on this case.

15 | Q. Okay? So that's what I mean when I say that. Okay?

17 Q. All right. So 7/8/20 was the first time.

20 **MR. TRIPI:** I was looking down, but I have an
21 objection. Did she answer the first date, did he just tell
22 her day a date? I'm just confused, Judge.

24 **THE WITNESS:** He just answered it. I didn't get to
25 say anything about the first date.

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1 **MR. TRIPI:** Okay.

2 **BY MR. SOEHNLEIN:**

3 Q. Okay. Do you recall that date?

4 A. Well, I mean, I -- I can't recall that unless I see

5 something.

6 Q. That's fine.

7 **MR. SOEHNLEIN:** Can you show her 3571X, please.

8 **THE WITNESS:** I mean, I don't want to say yes, and

9 then I'm wrong, because I don't know.

10 **BY MR. SOEHNLEIN:**

11 Q. And we don't want you to do that.

12 A. Right.

13 Q. So we're going show you a document, and see if it

14 refreshes your recollection.

15 A. Okay.

16 Q. Okay. If you can take a look at the screen there. Okay.

17 Does that refresh your recollection?

18 A. Yeah.

19 Q. Okay. So you'd agree with me that's 7/8/20, correct?

20 A. Yes.

21 Q. You met with law enforcement, correct?

22 A. Yes.

23 Q. Okay. And then at some point you were subpoenaed to the

24 grand jury?

25 A. Yes.

02:51PM 1 Q. Okay. Do you recall that date as July 16th of 2020?

02:51PM 2 A. Can I see the date, please?

02:51PM 3 Q. Sure.

02:51PM 4 **MR. SOEHNLEIN:** Can we show her 3571A, just the first
02:51PM 5 page, please?

02:51PM 6 **BY MR. SOEHNLEIN:**

02:51PM 7 Q. Okay. Do you see where it says July 16th, 2020?

02:52PM 8 A. Yeah. In the middle there.

02:52PM 9 Q. So you'd agree with me, so that's 7/16/20, correct?

02:52PM 10 A. It just says Thursday, July 16th, 2020.

02:52PM 11 **MR. TRIPI:** We'll stipulate. July 16th, Judge.

02:52PM 12 **BY MR. SOEHNLEIN:**

02:52PM 13 Q. Correct. So on July 16th, 2020, you met with the
02:52PM 14 government again, okay? Would you write that date down
02:52PM 15 please?

02:52PM 16 A. Yes.

02:52PM 17 Q. Thank you. Okay.

02:52PM 18 And then do you recall meeting with them on March 8th of
02:52PM 19 2023? I'm just asking, do you recall?

02:52PM 20 A. 2023, you said?

02:52PM 21 Q. Yeah. 3/8 of 2023; do you recall that?

02:52PM 22 A. No.

02:52PM 23 Q. You don't?

02:52PM 24 **MR. SOEHNLEIN:** Can you show her 3571S, please.

02:52PM 25 **THE WITNESS:** Yeah, I'm sorry. I'm probably not

1 going to recall any of the dates because I don't have them.

2 **BY MR. SOEHNLEIN:**

3 Q. That's okay. I think actually I have the wrong document
4 here, and I apologize.

5 A. That's okay.

6 **MR. SOEHNLEIN:** That's all right. Take that down.
7 We'll loop back to that one.

8 **BY MR. SOEHNLEIN:**

9 Q. Now, do you recall texting with the government on
10 7/13/2023?

11 A. I have texted --

12 Q. Yes.

13 A. -- yes.

14 Q. Okay. So 7/13/2023, do you recall that?

15 A. Can I see the date, please?

16 Q. Sure.

17 **MR. SOEHNLEIN:** Can you show her 3571AC.

18 **THE WITNESS:** Yes.

19 **BY MR. SOEHNLEIN:**

20 Q. Do you see that? Okay. Very good.

21 A. Oh, wait. That's July 14th.

22 Q. That's July 14th, isn't that what I asked? 7/14?

23 A. No.

24 Q. Oh, I'm sorry, did I ask 7/13? Okay. So 7/14. Would
25 you write 7/14 down, please.

02:54PM 1 A. Yes. I got it.

02:54PM 2 Q. All right. And then you see below that you also texted
02:54PM 3 with them on July 17th?

02:54PM 4 A. Yes.

02:54PM 5 Q. So 7/17 of 2023?

02:54PM 6 A. Yes.

02:54PM 7 Q. Okay. Okay. And then I think there was some testimony
02:54PM 8 that you had, like, a cocaine slipup in 2023; do you recall
02:54PM 9 that?

02:54PM 10 A. Yes.

02:54PM 11 Q. Okay. Now, by the way, at that point in time you chose
02:54PM 12 to use cocaine again, correct?

02:54PM 13 A. Yes.

02:54PM 14 Q. Okay. That -- that -- that was a decision you made at
02:54PM 15 that point in time, correct?

02:54PM 16 A. Yes.

02:54PM 17 Q. And you kind of went missing for a period of time, right?

02:54PM 18 A. I guess if you call overnight -- I mean, staying with a
02:55PM 19 friend overnight, if that's missing, I guess.

02:55PM 20 Q. Okay. Well, you had -- you have a significant other,
02:55PM 21 right?

02:55PM 22 A. Yes.

02:55PM 23 Q. His name is Jeff?

02:55PM 24 A. Yes.

02:55PM 25 Q. He's in the courtroom today?

02:55PM 1 A. No.

02:55PM 2 Q. In any event, you didn't tell him where you were going,
02:55PM 3 correct?

02:55PM 4 A. No, because he didn't need to know.

02:55PM 5 Q. Okay. You have a child with him, right?

02:55PM 6 A. Yes.

02:55PM 7 Q. Okay. And he didn't need to know where you were going?

02:55PM 8 A. He didn't need to know where I was going. He needed to
02:55PM 9 know when I would be back.

02:55PM 10 Q. All right. So any in any event, you went, you used
02:55PM 11 cocaine, and you had some government -- some contact with the
02:55PM 12 government around that point in time, correct?

02:55PM 13 A. Yes.

02:55PM 14 Q. Okay. And I think the testimony on direct that was about
02:55PM 15 August 2nd; do you recall that?

02:55PM 16 A. Yes.

02:55PM 17 Q. Okay. Do you ever recall that, or do you need to see --

02:55PM 18 A. I do.

02:55PM 19 Q. So could you write down August 2nd of 2023, please? Do
02:55PM 20 you recall that?

02:55PM 21 A. Yep.

02:55PM 22 Q. Okay. And then you had a meeting, and you looked at it
02:56PM 23 earlier, we can show it to you again, on August 15th of 2023;
02:56PM 24 do you recall that?

02:56PM 25 A. A meeting?

02:56PM 1 Q. Yep.

02:56PM 2 A. That I missed?

02:56PM 3 Q. No, no, I think you were present for it. Do you want to
02:56PM 4 see it, just to refresh your memory?

02:56PM 5 **MR. SOEHNLEIN:** Can we show her 3571AA, please?

02:56PM 6 **BY MR. SOEHNLEIN:**

02:56PM 7 Q. Do you see where it says August 15th of 2023?

02:56PM 8 A. Yes.

02:56PM 9 Q. Okay. Does that refresh your memory?

02:56PM 10 A. Yes.

02:56PM 11 Q. Okay. So you met with them on August 15th of 2023. Did
02:56PM 12 you write that date down?

02:56PM 13 A. Yes, I did.

02:56PM 14 Q. Thank you.

02:56PM 15 Now, and then you had another meeting on August 24th of
02:56PM 16 2023; do you recall that?

02:56PM 17 A. No.

02:56PM 18 Q. Okay.

02:56PM 19 **MR. SOEHNLEIN:** Can you show her 3571Q, please.

02:56PM 20 **BY MR. SOEHNLEIN:**

02:57PM 21 Q. Okay. Do you see that?

02:57PM 22 A. Yep.

02:57PM 23 Q. Yep.

02:57PM 24 A. Yes.

02:57PM 25 **MR. SOEHNLEIN:** Actually, can you leave that up for a

02:57PM 1 minute, please?

02:57PM 2 Just for me, can you scroll down, or I guess just for
02:57PM 3 her. Keep going down please. Keep going down.

02:57PM 4 Thank you.

02:57PM 5 **BY MR. SOEHNLEIN:**

02:58PM 6 Q. Do you recall talking about Katrina Nigro in your
02:58PM 7 interviews with the government?

02:58PM 8 A. I think I mentioned her once or twice.

02:58PM 9 Q. Okay.

02:58PM 10 A. Yeah.

02:58PM 11 Q. And you were friendly with her when you were at the club,
02:58PM 12 correct?

02:58PM 13 A. Yeah.

02:58PM 14 Q. Yeah. When's the last time you spoke with Ms. Nigro?

02:58PM 15 A. It's been a while.

02:58PM 16 Q. It's been a while. Has she reached out to you in
02:58PM 17 connection with this case?

02:58PM 18 A. No.

02:58PM 19 **MR. SOEHNLEIN:** Okay. We can take that down.

02:58PM 20 **BY MR. SOEHNLEIN:**

02:58PM 21 Q. Now you went in the grand jury again in September --
02:58PM 22 strike that. September 7th of 2023, that's that transcript
02:58PM 23 we were just looking at earlier. Do you recall that, or do
02:58PM 24 you want to see it again?

02:58PM 25 A. You said 9/7/23.

02:58PM

1 Q. Correct?

02:58PM

2 A. That's fine. I recall.

02:58PM

3 Q. Okay. Thanks. And then you said that you also had some

02:58PM

4 text communications with the government, correct?

02:58PM

5 A. Yes.

02:58PM

6 Q. Okay. And I'm going to assume you don't recall all those

02:58PM

7 text communications, correct?

02:58PM

8 A. Right.

02:58PM

9 **MR. SOEHNLEIN:** Okay. Just for the witness, can you

02:58PM

10 show her 3571AS, please?

02:58PM

11 **BY MR. SOEHNLEIN:**

02:59PM

12 Q. Okay. Do you see that there, Miss?

02:59PM

13 A. Yes.

02:59PM

14 Q. These are text messages between you and a federal agent,

02:59PM

15 correct?

02:59PM

16 A. Yes.

02:59PM

17 Q. Who are these text messages with?

02:59PM

18 A. Carly.

02:59PM

19 Q. Carly, that's Carly Smaldino?

02:59PM

20 A. Yes.

02:59PM

21 Q. She's a federal agent?

02:59PM

22 A. Yes.

02:59PM

23 Q. She works for the FBI here in Buffalo, correct?

02:59PM

24 A. Yes.

02:59PM

25 Q. Is she in the courtroom right now?

02:59PM 1 A. No.

02:59PM 2 Q. So in any event, do you see there are some dates here on
02:59PM 3 the left side?

02:59PM 4 A. Yes.

02:59PM 5 Q. You'd agree with me that this document, it memorializes
02:59PM 6 text messages between you and Special Agent Smaldino?

02:59PM 7 A. Yes.

02:59PM 8 Q. Okay. And you'd agree with me that first communication
02:59PM 9 there is 8/29/23; do you see that?

02:59PM 10 A. Yes.

02:59PM 11 Q. Okay. You had a conversation with her 8/29/23, correct?

02:59PM 12 Okay. Can you write down that date, please?

02:59PM 13 A. Yeah. Got it.

03:00PM 14 Q. Thank you.

03:00PM 15 **MR. SOEHNLEIN:** Okay. Can you scroll down for the
03:00PM 16 witness, please.

03:00PM 17 Okay. Thank you.

03:00PM 18 **BY MR. SOEHNLEIN:**

03:00PM 19 Q. And then do you see there's a conversation -- strike
03:00PM 20 that. Do you recall a conversation you had with her on 8/30
03:00PM 21 of 2023?

03:00PM 22 A. Yes.

03:00PM 23 Q. Okay. That would have been the next day, correct?

03:00PM 24 A. And 8/31 as well.

03:00PM 25 Q. Yes, thank you. All right. Thank you.

03:00PM 1 **MR. SOEHNLEIN:** If you can keep scrolling, please.
03:00PM 2 Okay. If you would stop, please, Ms. Champoux.
03:00PM 3 Thank you.

03:00PM 4 **BY MR. SOEHNLEIN:**

03:00PM 5 Q. Do you see there it says 9/1 of '23; do you see that?

03:00PM 6 A. Yes.

03:00PM 7 Q. Okay. Does that refresh your recollection you had a
03:00PM 8 conversation with her on 9/1 of '23? Thank you. If you can
03:00PM 9 just write down that date as well.

03:00PM 10 A. Yes.

03:00PM 11 Q. Thank you. And then on 9/5 of '23; do you see that?

03:00PM 12 A. 9/5. Yep.

03:00PM 13 Q. Okay. Thank you.

03:00PM 14 A. I got that written.

03:00PM 15 Q. And these texts, and we'll talk about some of them later,
03:00PM 16 but these texts are about the government helping you with
03:01PM 17 gas, and insurance, and living expenses, and things like
03:01PM 18 that, correct?

03:01PM 19 A. Yes.

03:01PM 20 Q. That's fair? All right. But then the texts also
03:01PM 21 reference some other meetings with the government, correct?

03:01PM 22 **MR. TRIPI:** Objection as to form.

03:01PM 23 **THE WITNESS:** I don't --

03:01PM 24 **THE COURT:** Hang on. Stop, ma'am. Stop, ma'am.

03:01PM 25 **MR. TRIPI:** Lack of specificity. Object as to form.

25 **MR. SOEHNLEIN:** And if you would keep going,

1 Ms. Champoux. Stop right there please.

2 A. 9/11.

3 Q. Yes. You see that 9/11/23?

4 A. Yes.

5 Q. Okay. Thank you.

6 **MR. SOEHNLEIN:** And, Ms. Champoux, if you would keep
7 going. Okay.

8 **BY MR. SOEHNLEIN:**

9 Q. And on 9/12, do you see that?

10 A. Yep.

11 Q. You recall a conversation on 9/12, correct?

12 A. Yes. And 13.

13 Q. Correct.

14 A. And 14.

15 Q. Correct. Actually, I'll let you ask the questions,
16 you're getting good. All right.

17 **MR. SOEHNLEIN:** If you would keep scrolling,
18 Ms. Champoux.

19 **BY MR. SOEHNLEIN:**

20 Q. Okay. And do you recall 9/15?

21 A. Yes.

22 Q. Okay. Thank you write down that date.

23 A. 9/15.

24 Q. And 9/16, you had a conversation, correct? And do you
25 see 9/18, as well?

03:03PM 1 A. Yes.

03:03PM 2 Q. Thank you. Will you write that down.

03:03PM 3 **MR. SOEHNLEIN:** Keep -- if you would keep scrolling.

03:03PM 4 Okay. Stop, please.

03:03PM 5 **BY MR. SOEHNLEIN:**

03:03PM 6 Q. You see -- do you recall 9/20/23?

03:03PM 7 A. Where did we leave off? 18, 20, 21, 22.

03:03PM 8 Q. Wonderful. If you would write down those dates as well.

03:03PM 9 A. Yeah.

03:03PM 10 Q. Thank you.

03:03PM 11 **MR. SOEHNLEIN:** Okay. If you would keep scrolling

03:03PM 12 Ms. Champoux. Right there. Please, stop.

03:03PM 13 **BY MR. SOEHNLEIN:**

03:04PM 14 Q. Do you recall a conversation on 9/25 of 2023?

03:04PM 15 A. Yes.

03:04PM 16 Q. Okay. And 9/26?

03:04PM 17 A. Yes.

03:04PM 18 Q. Thank you. Okay.

03:04PM 19 **MR. SOEHNLEIN:** If you would keep scrolling,

03:04PM 20 Ms. Champoux.

03:04PM 21 **BY MR. SOEHNLEIN:**

03:04PM 22 Q. And do you recall a conversation on 9/27 and 9/28?

03:04PM 23 A. Yes.

03:04PM 24 Q. Okay. If you would write down those dates as well,
03:04PM 25 please.

25

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BY MR. SOEHNLEIN:

Q. -- do you recall a conversation on October 16th?

A. 16th, 17, 18.

Q. If you would write those down, please, thank you.

MR. SOEHNLEIN: If would you keep going,
Ms. Champoux. All right. Sorry, we -- there we, go thank
you.

BY MR. SOEHNLEIN:

Q. Do you recall on 10/20, 10/22, 10/23, and 10/24?

A. 20, 22, 23, 24, yes.

Q. Yeah. If you would write those down, thank you.

A. Okay.

MR. SOEHNLEIN: If you keep scrolling, Ms. Champoux.

BY MR. SOEHNLEIN:

Q. Do you recall a conversation on 10/25, 10/26, and 10/27?

A. Am I going to have to write down every single day? Like,
I don't understand.

MR. TRIPI: Judge, I'm -- I'll stipulate the entire
document in if he wants.

THE WITNESS: 10/24.

MR. SOEHNLEIN: I'm really just trying to nail down
the number of conversations, Judge.

THE WITNESS: Yeah, I can tell.

MR. SOEHNLEIN: Yeah.

THE COURT: If you want a stipulation, fine. If you

1 want to keep going like this --

2 **THE WITNESS:** I mean, to be honest, I don't want to
3 keep writing every single date. I thought it would be a
4 couple or something.

5 **BY MR. SOEHNLEIN:**

6 Q. All right. So the government --

7 **MR. TRIPI:** What's the -- yeah, one more second.
8 Sorry.

9 **MR. SOEHNLEIN:** So, Ms. Champoux, can you just scroll
10 to the very end of this document?

11 **BY MR. SOEHNLEIN:**

12 Q. Okay. Do you see the last conversation there is 4/11 of
13 '24, do you see that?

14 A. Yeah.

15 Q. Okay. That would be April 11th of 2024?

16 A. Yeah.

17 Q. Okay. So, hold on, you can stop writing, because me and
18 Mr. Tripi have had a conversation.

19 A. Okay.

20 Q. So I'll represent to you that between the point in time
21 that you were first contacted by the government and
22 April 11th of 2024, you had at least 110 conversations with
23 the government in that period of time.

24 A. Okay.

25 Q. Okay? That sounds about right to you?

03:08PM 1 A. Yes.

03:08PM 2 Q. Okay. I mean --

03:08PM 3 A. Right.

03:09PM 4 Q. -- the alternative is this.

03:09PM 5 A. Right.

03:09PM 6 Q. They were -- you were texting with them pretty much every

03:09PM 7 day for a period of time, correct?

03:09PM 8 A. I would text them when I would be in DSS all day, because

03:09PM 9 I couldn't be on the phone.

03:09PM 10 Q. Well, you texted with them for several different reasons,

03:09PM 11 correct?

03:09PM 12 A. Right.

03:09PM 13 Q. Okay. And we'll go through that. But what I want to

03:09PM 14 establish is that really from the first point of contact in

03:09PM 15 2020 up until April of 2023, the government -- you and the

03:09PM 16 government had at least 110 conversations, correct?

03:09PM 17 A. Yes.

03:09PM 18 Q. Yeah. And at that point in time, the government was

03:09PM 19 helping you for housing, correct?

03:09PM 20 A. Yes.

03:09PM 21 Q. And they were helping you to get to doctors appointments,

03:09PM 22 correct?

03:09PM 23 A. Yes.

03:09PM 24 Q. And they were helping you with your insurance, correct?

03:09PM 25 A. Yes.

03:09PM 1 Q. And they were helping you with rides, correct?

03:09PM 2 A. Yes.

03:09PM 3 Q. And they were giving you living expense money, correct?

03:09PM 4 A. I only got that once.

03:09PM 5 Q. Okay. But they gave you living expense money, correct?

03:10PM 6 A. Yeah.

03:10PM 7 Q. And they gave you money that you used for your daughter's

03:10PM 8 birthday at points in time, correct?

03:10PM 9 A. My daughter's birthday?

03:10PM 10 Q. Yeah.

03:10PM 11 A. No.

03:10PM 12 Q. Okay. We'll go through it in the texts.

03:10PM 13 A. I don't know. Yeah.

03:10PM 14 Q. Okay. And -- and they also offered to help your

03:10PM 15 significant other, Jeff, potentially get a job, correct?

03:10PM 16 A. Yes.

03:10PM 17 Q. Yes. They were trying to get him work as well, correct?

03:10PM 18 A. Right.

03:10PM 19 Q. And, by the way, at this point in time, he was not

03:10PM 20 working, right?

03:10PM 21 A. Right.

03:10PM 22 Q. The family was being supported by the federal government,

03:10PM 23 correct?

03:10PM 24 A. Yes.

03:10PM 25 Q. Yeah. The only income that was coming into your

03:10PM 1 household was from the federal government, correct?

03:10PM 2 A. No. I had DSS always. I always had food stamps.

03:10PM 3 Q. Okay.

03:10PM 4 A. There was a time that they got stolen, that I needed

03:10PM 5 help.

03:10PM 6 Q. Okay. But you weren't working, correct?

03:10PM 7 A. No.

03:10PM 8 Q. And Jeff wasn't working, correct?

03:11PM 9 A. Right, but --

03:11PM 10 Q. And your son was an infant?

03:11PM 11 A. Right.

03:11PM 12 Q. And so in terms of income streams that were coming into

03:11PM 13 the house, the federal government in connection with this

03:11PM 14 case is a significant source of income at that point in time,

03:11PM 15 correct?

03:11PM 16 A. I guess if you -- I wouldn't say significant because I

03:11PM 17 was also supporting myself.

03:11PM 18 Q. Well, you weren't working, correct?

03:11PM 19 A. Yes. But I was getting cash assistance.

03:11PM 20 Q. Okay. What's cash assistance?

03:11PM 21 A. Through DSS.

03:11PM 22 Q. Okay. So that was, now the government also helped you

03:11PM 23 get plugged into DSS, correct?

03:11PM 24 A. No, I did all that on my own.

03:11PM 25 Q. Okay. So, maybe we can go through this a little bit

03:11PM 1 later. But it's your recollection that the government didn't
03:11PM 2 do anything to help you get into DSS?
03:11PM 3 A. No I'm not saying like they didn't do anything. I mean,
03:11PM 4 if I needed a letter stating I was homeless, they would write
03:11PM 5 one. You know.
03:11PM 6 Q. Okay. All right. They did what they could to
03:11PM 7 facilitate, correct?
03:11PM 8 A. Right.
03:12PM 9 Q. And at this point in time, that's what the snapshot of
03:12PM 10 the family looks like in terms of income, correct?
03:12PM 11 A. Okay.
03:12PM 12 Q. Is that accurate?
03:12PM 13 A. I didn't hear your last question. What?
03:12PM 14 Q. That's where the family income was coming from at that
03:12PM 15 time, correct?
03:12PM 16 A. From DSS and the government, yes.
03:12PM 17 Q. Okay.
03:12PM 18 A. What -- I don't understand why that matters.
03:12PM 19 Q. Okay. Now, I want to take you through Pharaoh's, okay?
03:12PM 20 Now, the actual club itself, and I think you had some
03:12PM 21 testimony, I think you said that there's about 50 dancers on
03:12PM 22 any given night, correct?
03:12PM 23 A. That was in my estimate. You said that was in my
03:12PM 24 testimony?
03:12PM 25 Q. That's what I recall, correct?

03:12PM 1 A. Okay. Yes.

03:12PM 2 Q. Yes? Well, I mean, is it your testimony?

03:12PM 3 A. Listen. I need something to see. I don't -- I can't
03:12PM 4 remember every single little number.

03:12PM 5 Q. I'm just asking you how many dancers worked at Pharaoh's
03:13PM 6 on a standard night?

03:13PM 7 A. There could be ten on one night, there could be 50 the
03:13PM 8 next. It's always different there. Could be 100 on the
03:13PM 9 weekend.

03:13PM 10 Q. Okay. There could be --

03:13PM 11 A. There could be two girls.

03:13PM 12 Q. Okay. Was there ever a night that there was just two
03:13PM 13 girls working at Pharaoh's Gentlemen's Club?

03:13PM 14 A. Probably until about 10:00, yeah.

03:13PM 15 Q. Okay. And then dancers would come in later on in the
03:13PM 16 evening, correct?

03:13PM 17 A. Yeah.

03:13PM 18 Q. Okay. So it wouldn't be accurate to say that there were
03:13PM 19 only two girls working on that night, correct?

03:13PM 20 A. Okay.

03:13PM 21 Q. All right. Now I want to talk to you a little about --
03:13PM 22 about security at the club. They had security at the door,
03:13PM 23 correct?

03:13PM 24 A. Yes.

03:13PM 25 Q. They had guys who walked around on the floor, correct?

03:13PM 1 A. Okay.

03:13PM 2 Q. They had a VIP attendant, we'll talk about him, right?

03:13PM 3 A. Yes.

03:13PM 4 Q. They had cameras, correct?

03:13PM 5 A. Yes.

03:13PM 6 Q. And it was your sense when you worked there that the

03:13PM 7 cameras picked up everything in the public areas of the club,

03:13PM 8 correct?

03:13PM 9 A. The cameras -- the only cameras I seen were in the

03:13PM 10 VIP Room.

03:13PM 11 Q. Okay. You were unaware of any other cameras anywhere

03:14PM 12 else in the club?

03:14PM 13 A. Correct.

03:14PM 14 Q. Okay. But you knew there were cameras in the VIP?

03:14PM 15 A. Yes.

03:14PM 16 Q. And you knew because the VIP attendant's got that screen

03:14PM 17 in front of him, correct?

03:14PM 18 A. Yes.

03:14PM 19 Q. All right. And he can see each of the couches, right?

03:14PM 20 A. Yes.

03:14PM 21 Q. Okay. And the VIP attendant, who pays the VIP attendant

03:14PM 22 his salary?

03:14PM 23 A. His salary?

03:14PM 24 Q. Yeah. Who's paying him?

03:14PM 25 A. The owner.

03:14PM 1 Q. And he's being paid to watch the VIP area, correct?

03:14PM 2 A. Correct.

03:14PM 3 Q. All right. And he's being paid whatever wage -- strike

03:14PM 4 that. You don't know what wage he was being paid by

03:14PM 5 Mr. Gerace, correct?

03:14PM 6 A. Correct.

03:14PM 7 Q. But you did have an understanding that he was being paid

03:14PM 8 to watch the VIP area, correct?

03:14PM 9 A. Yes.

03:14PM 10 Q. And that VIP area is mostly open, right?

03:14PM 11 A. There's a part that's open, and a part that's not.

03:14PM 12 Q. Right. And we've got some pictures of it.

03:14PM 13 A. Right.

03:14PM 14 Q. We'll go through it. But the general VIP area, all the

03:14PM 15 couches can see each other, correct?

03:14PM 16 A. In the regular VIP, yes. Not in the Champagne.

03:14PM 17 Q. Okay. And there's no door between the attendant and that

03:15PM 18 VIP or Champagne Room area, correct?

03:15PM 19 A. Correct.

03:15PM 20 Q. And the VIP attendant is really just feet away, right?

03:15PM 21 It's not a very large area?

03:15PM 22 A. Did you say a feet away?

03:15PM 23 Q. He's not that far away?

03:15PM 24 A. Right, it's not that far.

03:15PM 25 Q. Yeah. It's not -- it's not like he's at the other side

03:15PM 1 of the building, correct?

03:15PM 2 A. Right.

03:15PM 3 Q. Right, he's just a couple steps away, right? Correct?

03:15PM 4 A. Yes. Maybe like 20 steps.

03:15PM 5 Q. Okay. Just pivoting real quick to something a little

03:15PM 6 different. You don't know Special Agent Bongiovanni, right?

03:15PM 7 A. No.

03:15PM 8 Q. You have no idea who that person is, correct?

03:15PM 9 A. I've heard of him.

03:15PM 10 Q. Okay. But you've never met him, correct?

03:15PM 11 A. I've never met him.

03:15PM 12 Q. You never saw him, correct?

03:15PM 13 A. Correct.

03:15PM 14 Q. Even though you were at Pharaoh's on a pretty regular

03:15PM 15 basis from 2013 to 2018, correct?

03:15PM 16 A. Yeah.

03:15PM 17 Q. Except for those stints we talked about where you were

03:15PM 18 fired and went to rehab, correct?

03:15PM 19 A. Right.

03:15PM 20 Q. Okay. And I think you said there were about three of

03:16PM 21 those stints, right?

03:16PM 22 And so if Special Agent Bongiovanni were in this room,

03:16PM 23 you wouldn't be able to pick him out, correct?

03:16PM 24 A. Correct.

03:16PM 25 Q. Okay. You never saw him at the club, correct?

03:16PM 1 A. No.

03:16PM 2 Q. And never heard his name?

03:16PM 3 A. I don't know if I've ever seen him, because I don't

03:16PM 4 know --

03:16PM 5 Q. You were never introduced to him, correct?

03:16PM 6 A. Right. Right.

03:16PM 7 Q. All right. You don't know who he is, correct?

03:16PM 8 A. Correct.

03:16PM 9 Q. Okay. Now, I want to ask you about a gentleman named Don

03:16PM 10 Parrino. Do you recall a gentleman named Don Parrino?

03:16PM 11 A. Yes.

03:16PM 12 Q. Okay. And he was a co-owner of the club, correct?

03:16PM 13 A. Yes.

03:16PM 14 Q. Okay. And there was a point in time where there was a

03:16PM 15 lawsuit about the club; do you recall that?

03:16PM 16 A. No, I didn't really know too much about it.

03:16PM 17 **MR. SOEHNLEIN:** Okay. So, can we show the witness --

03:16PM 18 actually, show some of these pictures here. May I?

03:16PM 19 **BY MR. SOEHNLEIN:**

03:16PM 20 Q. So these pictures here -- showing the witness, oh, wrong

03:17PM 21 set.

03:17PM 22 240L, 240F, 240E, 240D. Take a look. Let me know once

03:17PM 23 you've looked at those photos.

03:17PM 24 Oh, and 240 -- is 240B up there?

03:17PM 25 A. I've got 240D as in dog.

03:17PM 1 Q. Okay. Showing you 240B. You've seen these pictures
03:17PM 2 before?

03:17PM 3 A. Yes.

03:17PM 4 Q. Okay. Do you have a recollection of what event those
03:17PM 5 pictures were from?

03:17PM 6 A. I don't.

03:17PM 7 Q. Are you aware of whether or not there was a grand
03:17PM 8 reopening party in April of 2014?

03:17PM 9 A. Yes.

03:17PM 10 Q. Okay. You recall that, right?

03:17PM 11 A. I do.

03:17PM 12 Q. That was a point in time that the Gerace family took
03:18PM 13 control of the club again, correct?

03:18PM 14 A. Okay, yes.

03:18PM 15 Q. You recall that?

03:18PM 16 A. Yes.

03:18PM 17 Q. And prior to that, Don Parrino had been in charge of the
03:18PM 18 club, correct?

03:18PM 19 A. Yes.

03:18PM 20 Q. Yeah. And Don Parrino had a manager named Larry,
03:18PM 21 correct?

03:18PM 22 A. Yes.

03:18PM 23 Q. Larry came in with Don Parrino, correct?

03:18PM 24 A. Yes.

03:18PM 25 Q. And he also left with Don Parrino, correct?

03:18PM 1 A. Yes.

03:18PM 2 Q. So, if we're talking about Larry being at the club, we're
03:18PM 3 talking about a point in time where Peter Gerace was not in
03:18PM 4 the club, correct?

03:18PM 5 A. Yeah.

03:18PM 6 Q. Yeah. So the testimony that you had earlier about Larry,
03:18PM 7 do you recall that testimony?

03:18PM 8 A. Yes.

03:18PM 9 Q. That comes at a point in time where Mr. Gerace is not in
03:18PM 10 the club, correct?

03:18PM 11 A. Correct.

03:18PM 12 Q. Okay. Now, you started working at Pharaoh's in 2013,
03:18PM 13 correct?

03:18PM 14 A. Yes.

03:18PM 15 Q. Summer of 2013, correct?

03:18PM 16 A. Yes.

03:18PM 17 Q. Okay. And at that point in time, Mr. Gerace was not in
03:18PM 18 the club, correct?

03:18PM 19 A. Honestly, I don't -- I don't remember.

03:18PM 20 Q. Let me see if I can try to refresh your recollection.

03:18PM 21 **MR. SOEHNLEIN:** Can you show the witness 369L?

03:19PM 22 And I think is this in -- is this in evidence,

03:19PM 23 Ms. Champoux?

03:19PM 24 **MS. CHAMPOUX:** I believe so. Yes, I have it.

03:19PM 25 **MR. SOEHNLEIN:** Okay.

03:19PM 1 **THE COURT:** This is in evidence?

03:19PM 2 **MS. CHAMPOUX:** I have it.

03:19PM 3 **THE COURT:** Hang on. Let's make sure Ms. Demma has
03:19PM 4 it.

03:19PM 5 **THE CLERK:** It's in evidence.

03:19PM 6 **THE COURT:** Okay. Great.

03:19PM 7 **BY MR. SOEHNLEIN:**

03:19PM 8 Q. Okay. So this exhibit shows phone calls between

03:19PM 9 Mr. Gerace and Pharaoh's Gentlemen's Club. Okay? You've
03:19PM 10 never seen this before I assume?

03:19PM 11 A. Right.

03:19PM 12 Q. Okay. But you'll note, you started in 2013, correct?

03:19PM 13 A. Yes.

03:19PM 14 Q. So you started right here, right?

03:19PM 15 A. Yes.

03:19PM 16 Q. Okay. And you'd agree with me that according to this
03:19PM 17 chart, there's no phone contact between Mr. Gerace and
03:19PM 18 Pharaoh's in December of 2013, correct?

03:19PM 19 **MR. TRIPI:** Objection as to personal knowledge of
03:19PM 20 interpretation of the chart.

03:19PM 21 **THE COURT:** No, if she understands it, she can see
03:19PM 22 it, she can answer.

03:19PM 23 **BY MR. SOEHNLEIN:**

03:19PM 24 Q. Do you understand?

03:19PM 25 A. Can you ask again?

03:19PM 1 Q. Sure. So first of all, as you look at this document, do
03:20PM 2 you understand that this document shows phone calls between
03:20PM 3 Mr. Gerace and Pharaoh's Gentlemen's Club?

03:20PM 4 A. Yeah.

03:20PM 5 Q. Okay. And you understand that the bar, the peak, that is
03:20PM 6 the number of phone calls between Mr. Gerace and the club,
03:20PM 7 correct?

03:20PM 8 A. Correct.

03:20PM 9 Q. Okay. And so you'd agree with me -- by the way, on the
03:20PM 10 bottom are the years?

03:20PM 11 A. Right.

03:20PM 12 Q. Do you see that? There's 2012, 2013, 2014, do you see
03:20PM 13 that?

03:20PM 14 A. Yes.

03:20PM 15 Q. And you were hired in 2013, correct?

03:20PM 16 A. Yes.

03:20PM 17 Q. So the testimony that you gave about using drugs almost
03:20PM 18 immediately at the point in time that you came to Pharaoh's
03:20PM 19 that was in 2013, right?

03:20PM 20 A. Yes.

03:20PM 21 Q. Okay. So you got introduced to heroin at the club in
03:20PM 22 2013, right?

03:20PM 23 A. Yes.

03:20PM 24 Q. You got introduced to cocaine at the club in 2013,
03:20PM 25 correct?

03:20PM 1 A. Yes.

03:20PM 2 Q. Okay. And at that point in time, Don Parrino was in
03:20PM 3 charge of the club, wasn't he?

03:20PM 4 A. In my understanding, when I worked there, it was Peter,
03:21PM 5 then they came in like a few months later. I don't even
03:21PM 6 know, maybe a half a year later or something, then Larry and
03:21PM 7 Don came in.

03:21PM 8 Q. Okay. But, well, you'd agree with me, we can agree on a
03:21PM 9 couple things. You started in 2013?

03:21PM 10 A. Right.

03:21PM 11 Q. You testified about that consistently every time that you
03:21PM 12 met with the government, correct?

03:21PM 13 A. Yes.

03:21PM 14 Q. To your knowledge? Okay.

03:21PM 15 And you recall a grand reopening party in April of 2014,
03:21PM 16 correct?

03:21PM 17 A. Yes.

03:21PM 18 Q. And you'd agree with me that this exhibit, which is a
03:21PM 19 government exhibit, shows that Mr. Gerace didn't have any
03:21PM 20 phone contact with the club in December of 2012, correct?

03:21PM 21 There's no bar for December of 2012, is there?

03:21PM 22 A. No. But I really don't want to deal with that.

03:21PM 23 Q. Well, I'm just understanding if you -- I'm asking if you
03:21PM 24 understand it.

03:21PM 25 A. I don't.

03:21PM 1 Q. You don't understand this exhibit?

03:21PM 2 A. I'm trying to understand, but I don't.

03:21PM 3 **MR. TRIPI:** Objection as to 602, which was my
03:21PM 4 objection at the initial --

03:21PM 5 **THE COURT:** I understand. If she doesn't understand
03:21PM 6 it, then --

03:21PM 7 **MR. SOEHNLEIN:** -- then I have to move on, yeah.

03:22PM 8 **BY MR. SOEHNLEIN:**

03:22PM 9 Q. Do you understand this exhibit?

03:22PM 10 A. No.

03:22PM 11 Q. Okay. All right.

03:22PM 12 **MR. SOEHNLEIN:** Then take it down.

03:22PM 13 **BY MR. SOEHNLEIN:**

03:22PM 14 Q. But you do understand that Larry the manager came in with
03:22PM 15 Parrino, right?

03:22PM 16 A. Yes.

03:22PM 17 Q. If we're talking about Larry, we're talking about the
03:22PM 18 point in time where Parrino ran the club, correct?

03:22PM 19 A. Yes.

03:22PM 20 Q. So, the -- the facts that you shared about coming into
03:22PM 21 work dope sick, and then Larry taking you to a motel, that
03:22PM 22 was on Don Parrino's watch, correct?

03:22PM 23 A. Yes.

03:22PM 24 Q. That wouldn't have been on Peter Gerace's watch, correct?

03:22PM 25 A. Correct.

1 Q. He wasn't in the club at that time, correct?

2 A. Correct.

3 Q. Did the government ever ask you any questions about this?

4 A. Yes.

5 Q. Okay. Little bit, right?

6 A. Yes.

7 Q. Okay. And you'd agree with me that the point in time
8 where you become addicted to drugs at Pharaoh's is 2013,
9 correct?

10 A. Yes.

11 **MR. SOEHNLEIN:** All right. I want to pivot, Judge.
12 Are we going to take an afternoon break?

13 **THE COURT:** How much longer are you going to go?

14 **MR. SOEHNLEIN:** Oh, a long time. A long time.

15 **THE COURT:** Then let's take our afternoon break,
16 folks. Please remember my instructions. Don't talk with
17 anyone, including each other. Don't make up your mind.

18 See you back here in about 15 minutes.

19 **THE WITNESS:** Judge, what's the latest time I'll be
20 here?

21 **THE COURT:** 5:30.

22 **THE WITNESS:** Okay.

23 (Jury excused at 3:23 p.m.)

24 **THE COURT:** Okay. Anything we need to do before we
25 break?

03:24PM 1 **MR. COOPER:** Use the bathroom.

03:24PM 2 **THE COURT:** That would be after we break.

03:24PM 3 **MR. COOPER:** Sustained.

03:24PM 4 **MR. SOEHNLEIN:** Nothing here, Judge.

03:24PM 5 **THE COURT:** Okay. Thanks.

03:24PM 6 **THE CLERK:** All rise.

03:24PM 7 (Off the record at 3:24 p.m.)

03:41PM 8 (Back on the record at 3:41 p.m.)

03:41PM 9 (Jury not present.)

03:41PM 10 **THE CLERK:** All rise.

03:41PM 11 **THE COURT:** Please be seated.

03:41PM 12 **THE CLERK:** We are back on the record for the
03:41PM 13 continuation of the jury trial in case numbers 19-cr-227 and
03:41PM 14 23-cr-37, United States of America versus Peter Gerace Jr.

03:41PM 15 All counsel and parties are present.

03:41PM 16 **THE COURT:** Okay. Are we ready to go?

03:41PM 17 **MR. SOEHNLEIN:** Yes.

03:41PM 18 **THE COURT:** Ready, Mr. Tripi?

03:41PM 19 **MR. TRIPI:** Yes.

03:41PM 20 **THE COURT:** Let's get the witness back in.

03:41PM 21 Let's get the jury back in, please.

03:43PM 22 (Jury seated at 3:43 p.m.)

03:43PM 23 **THE COURT:** The record will reflect that all our
03:43PM 24 jurors are present again.

03:43PM 25 I remind the witness she's still under oath.

03:43PM 1 Mr. Soehnlein, you may continue.

03:43PM 2 **MR. SOEHNLEIN:** Thank you, Your Honor.

03:43PM 3 **BY MR. SOEHNLEIN:**

03:43PM 4 Q. Good afternoon.

03:43PM 5 A. Good afternoon.

03:43PM 6 Q. I want to tie up one loose end before we go on. Those
03:43PM 7 text messages that we're looking at, those are from
03:43PM 8 August 29th of 2023 to April 11th of 2024, correct?

03:43PM 9 **MR. TRIPI:** We'll stipulate to that as being yes,
03:43PM 10 Your Honor.

03:43PM 11 **THE COURT:** You want to accept the stipulation?

03:43PM 12 **MR. SOEHNLEIN:** I'll accept the stipulation.

03:43PM 13 **THE COURT:** Great.

03:43PM 14 **MR. SOEHNLEIN:** I just wanted to make sure that was
03:43PM 15 clear for the record. Thank you.

03:43PM 16 **BY MR. SOEHNLEIN:**

03:44PM 17 Q. I want to talk to you about the point in time you chose
03:44PM 18 to work at Pharaoh's, okay? So we're going back to when you
03:44PM 19 were -- I think were you about 20 years old? 21 years old?
03:44PM 20 18 years old? How old were you?

03:44PM 21 A. Yeah, 20.

03:44PM 22 Q. Okay. So you were an adult at that point in time,
03:44PM 23 correct?

03:44PM 24 A. Yes.

03:44PM 25 Q. Okay. And I think you went with some friends, correct?

03:44PM

1 A. Yes.

03:44PM

2 Q. You with A.A.?

03:44PM

3 A. Yes.

03:44PM

4 Q. Did you also go with a girl named Rachel?

03:44PM

5 A. Yes.

03:44PM

6 Q. Okay. So the three of you went together to Pharaoh's,

03:44PM

7 correct?

03:44PM

8 A. Yes.

03:44PM

9 Q. And you went because you wanted to make money, right?

03:44PM

10 A. Right.

03:44PM

11 Q. The money was the draw, correct?

03:44PM

12 A. Yeah.

03:44PM

13 Q. Yeah. And what was going on in your life at that time

03:44PM

14 that you needed quick cash, or that you needed money?

03:44PM

15 A. Well, it's not that we needed quick cash, it's that we

03:44PM

16 had just graduated high school and we wanted to dance.

03:44PM

17 Q. Okay. So you go in, you have an audition with -- I think

03:44PM

18 you had the audition with Brian; is that right?

03:44PM

19 A. I believe so.

03:45PM

20 Q. Yeah. And you go up on stage to do the songs, correct?

03:45PM

21 A. Yes.

03:45PM

22 Q. Yeah. And you -- and then there's a conversation about

03:45PM

23 you potentially being hired, correct?

03:45PM

24 A. Yeah.

03:45PM

25 Q. And then Doug hires you, correct?

03:45PM

1 A. Yes.

03:45PM

2 Q. Mr. Gerace wasn't at that audition, correct?

03:45PM

3 A. I didn't see him there.

03:45PM

4 Q. Okay. And you had some understanding of what the job was

03:45PM

5 going to entail, correct?

03:45PM

6 A. Yes.

03:45PM

7 Q. You knew it was a strip club, correct?

03:45PM

8 A. Yeah.

03:45PM

9 Q. And you knew you would be walking around with not a lot

03:45PM

10 of clothes on, correct?

03:45PM

11 A. Yes.

03:45PM

12 Q. Okay. And on that point, I just want to -- I want to

03:45PM

13 understand what it means to be a dancer.

03:45PM

14 So when you are a dancer, you're -- you're engaging with

03:45PM

15 customers, right?

03:45PM

16 A. Right.

03:45PM

17 Q. You're -- you are being socially proactive, right?

03:45PM

18 A. Yes.

03:45PM

19 Q. You see a guy that's not talking to somebody, you're

03:45PM

20 gonna go talk to them, right?

03:45PM

21 A. Yes.

03:45PM

22 Q. And you can choose who you're gonna go talk to, right?

03:45PM

23 A. Yes.

03:45PM

24 Q. If there's someone that you don't think is gonna be a

03:45PM

25 very good fit as a customer, you don't have to go talk to

03:46PM 1 them, right?

03:46PM 2 A. Right.

03:46PM 3 Q. But the goal is to earn as much money as possible,

03:46PM 4 correct?

03:46PM 5 A. Yes.

03:46PM 6 Q. And the ways that you can earn money, they might talk to

03:46PM 7 you for a little while, and they might give you a tip, right?

03:46PM 8 That happens sometimes?

03:46PM 9 A. Yes.

03:46PM 10 Q. And you can go on stage and you can make money on stage,

03:46PM 11 right?

03:46PM 12 A. Yes.

03:46PM 13 Q. And you can go back into the VIP area, correct?

03:46PM 14 A. Yes.

03:46PM 15 Q. And I guess part of the VIP will be the Champagne Room,

03:46PM 16 right?

03:46PM 17 A. Yes.

03:46PM 18 Q. Okay. So we'll put those two categories together,

03:46PM 19 correct?

03:46PM 20 A. Yes.

03:46PM 21 Q. All right. And then there's an expectation that you're

03:46PM 22 gonna tip out at the end of the night, right?

03:46PM 23 A. Yes.

03:46PM 24 Q. Okay. But there's no set percentage that you have to tip

03:46PM 25 out, right?

03:46PM 1 A. Not a set percentage, no.

03:46PM 2 Q. Yeah. Yeah. There's an expectation that you're going to

03:46PM 3 be kind, right?

03:46PM 4 A. Yes.

03:46PM 5 Q. But you're deciding how much to tip out, right?

03:46PM 6 A. Yes.

03:46PM 7 Q. Okay. That's your decision, correct?

03:46PM 8 A. Yes.

03:46PM 9 Q. Okay. And it's not the case that, you know, you give the

03:46PM 10 doorman a tip, and he says, hey, this isn't enough, or

03:46PM 11 anything like that, right?

03:46PM 12 A. Right.

03:46PM 13 Q. Okay. Now, when you're engaging with those patrons, when

03:47PM 14 you're engaging with those customers, is it fair to say that

03:47PM 15 any patron there is a potential client, right?

03:47PM 16 A. Yes.

03:47PM 17 Q. So any patron is potentially someone that's gonna buy a

03:47PM 18 dance from you, correct?

03:47PM 19 A. Yes.

03:47PM 20 Q. So you're trying to be pleasant, right?

03:47PM 21 A. Yes.

03:47PM 22 Q. Correct? And you're trying to be engaging, correct?

03:47PM 23 A. Yes. Yes.

03:47PM 24 Q. You're trying to be nice, right?

03:47PM 25 A. Yes.

03:47PM 1 Q. You're not standoffish?

03:47PM 2 A. Right.

03:47PM 3 Q. And when somebody does express an interest in getting a

03:47PM 4 dance, you are trying to make them believe that you are

03:47PM 5 interested in them, correct?

03:47PM 6 A. For the most part.

03:47PM 7 Q. Yeah.

03:47PM 8 A. I mean, there's many different situations. People just

03:47PM 9 come in lonely --

03:47PM 10 Q. Yeah.

03:47PM 11 A. -- you know, and just want to talk.

03:47PM 12 Q. Okay. But you are trying to communicate to them that you

03:47PM 13 want to be with them, right?

03:47PM 14 A. Not be with them. I would like to take a dance from

03:47PM 15 them.

03:47PM 16 Q. Okay. And part of that entails some degree of

03:47PM 17 communication that that's something you want to do, right?

03:48PM 18 A. Right.

03:48PM 19 Q. Okay. You're representing to them, hey, I would like you

03:48PM 20 to take me in the back for a dance, right?

03:48PM 21 A. Yes.

03:48PM 22 Q. I would like you to tip me when I'm on stage, correct?

03:48PM 23 A. Right.

03:48PM 24 Q. All right. That's what you were trying to communicate to

03:48PM 25 the people who are around you at Pharaoh's Gentlemen's Club

03:48PM 1 when you're working there as a dancer, correct?

03:48PM 2 A. Yes.

03:48PM 3 Q. And that's the way that you conducted yourself when you
03:48PM 4 were working there, correct?

03:48PM 5 A. Yes.

03:48PM 6 Q. Right? You weren't walking around telling people, no,
03:48PM 7 don't talk to me, or making frown faces at them or anything
03:48PM 8 like that, right?

03:48PM 9 A. Right.

03:48PM 10 Q. You're walking around and you're smiling and you're
03:48PM 11 engaging, correct?

03:48PM 12 A. Yes.

03:48PM 13 Q. And you're kind of flirty, correct?

03:48PM 14 A. Yes.

03:48PM 15 Q. Okay. Now, I want to also talk to you about this
03:48PM 16 individual that you said was named Scooter. Do you recall
03:48PM 17 the testimony about Scooter?

03:48PM 18 A. Yes.

03:49PM 19 Q. Now your testimony is Scooter was a drug dealer, correct?

03:49PM 20 A. Yes.

03:49PM 21 Q. And I think your testimony was that you saw him at the
03:49PM 22 bar at Pharaoh's, correct?

03:49PM 23 A. Yes.

03:49PM 24 Q. Okay. And you never saw him in the upstairs, correct?

03:49PM 25 A. Correct.

03:49PM 1 Q. Okay. And you never saw him exchange money with
03:49PM 2 Mr. Gerace, correct?
03:49PM 3 A. Correct.
03:49PM 4 Q. Okay. And, in fact, you never saw Mr. Gerace exchange
03:49PM 5 money for any drugs; isn't that correct?
03:49PM 6 A. Correct.
03:49PM 7 Q. Okay. And so, Scooter, to some -- strike that.
03:49PM 8 Scooter appeared to be a normal patron, right?
03:49PM 9 A. Yes.
03:49PM 10 Q. He wasn't wearing a billboard sign that said I'm a drug
03:49PM 11 dealer, right?
03:49PM 12 A. Correct.
03:49PM 13 Q. He looked like a normal guy sitting at the bar, correct?
03:49PM 14 A. Yes.
03:49PM 15 Q. And Pharaoh's is a customer service establishment,
03:49PM 16 correct?
03:49PM 17 A. Yes.
03:49PM 18 Q. So you observed other -- strike that.
03:49PM 19 You observed managers and other staff members interact
03:49PM 20 with customers, correct?
03:49PM 21 A. Yes.
03:49PM 22 Q. And they generally tried to provide customers with
03:49PM 23 customer service, correct?
03:49PM 24 A. Yes.
03:49PM 25 Q. Okay. They would go up to customers and they would ask

03:50PM 1 how they're doing, correct?

03:50PM 2 A. Yes.

03:50PM 3 Q. They'd go up to customers and they'd ask if they needed
03:50PM 4 anything, correct?

03:50PM 5 A. Yes.

03:50PM 6 Q. And you saw Mr. Gerace do the same things, correct?

03:50PM 7 A. Yes.

03:50PM 8 Q. Because Mr. Gerace was the owner, right?

03:50PM 9 A. Yes.

03:50PM 10 Q. So it was common for him to kind of do a lap around the
03:50PM 11 room and talk to everybody in the room, correct?

03:50PM 12 A. Yes.

03:50PM 13 Q. That's part of being the owner?

03:50PM 14 A. Right.

03:50PM 15 Q. Okay. And when we're talking about Mr. Gerace and
03:50PM 16 observing Mr. Gerace interacting with people at the bar,
03:50PM 17 that's what you're talking about, right?

03:50PM 18 A. Yes.

03:50PM 19 Q. Okay. Now I want to talk to you a little bit about --
03:50PM 20 you -- you said you wanted to be one of the favorites,
03:50PM 21 correct; do you recall that testimony?

03:50PM 22 A. Yeah.

03:50PM 23 Q. Okay. And so my understanding is you viewed that there
03:50PM 24 was -- there were certain girls that were shown favoritism,
03:50PM 25 correct?

03:50PM

1 A. Yes.

03:50PM

2 Q. And there were certain girls that maybe were looked upon

03:50PM

3 in a better light by Mr. Gerace, or other people that were

03:50PM

4 running the club, correct?

03:50PM

5 A. Yes.

03:50PM

6 Q. Okay. And in your view, that had to do with what they

03:51PM

7 were willing to do for the club, correct?

03:51PM

8 A. Yes.

03:51PM

9 Q. Now, you were aware that Pharaoh's had a golf tournament?

03:51PM

10 A. Correct.

03:51PM

11 Q. Now you never went to the golf tournament, right?

03:51PM

12 A. Right.

03:51PM

13 Q. You never knew what went on there, correct?

03:51PM

14 A. I was just told by the girls.

03:51PM

15 Q. Right. And that's -- that would be just be hearsay,

03:51PM

16 right?

03:51PM

17 A. Right.

03:51PM

18 Q. You don't have any personal knowledge of that, correct?

03:51PM

19 A. No.

03:51PM

20 Q. You have no idea what actually happened there, correct?

03:51PM

21 A. Right.

03:51PM

22 Q. Okay. But you did know there was a golf tournament that

03:51PM

23 was kind of a big deal, right?

03:51PM

24 A. Yes.

03:51PM

25 Q. Correct? And they wanted the girls to work that golf

03:51PM 1 tournament, right?

03:51PM 2 A. Yes.

03:51PM 3 Q. It was important for Pharaoh's, correct?

03:51PM 4 A. Yes.

03:51PM 5 Q. And you were asked to work that golf tournament, correct?

03:51PM 6 A. Yes.

03:51PM 7 Q. Every year that you were there, right?

03:51PM 8 A. Yes.

03:51PM 9 Q. Correct? And you always declined, right?

03:51PM 10 A. Yes.

03:51PM 11 Q. You made the decision that even though Pharaoh's wants me

03:51PM 12 to do this thing, I don't want to do it, correct?

03:51PM 13 A. Right.

03:51PM 14 Q. And even though you declined, you weren't fired, right?

03:51PM 15 A. Right.

03:51PM 16 Q. You were allowed to work there, correct?

03:51PM 17 A. Yes.

03:51PM 18 Q. You weren't punished in any way, right?

03:51PM 19 A. Right.

03:51PM 20 Q. Even though you understood that that was important for

03:51PM 21 the club, correct?

03:51PM 22 A. Yes.

03:51PM 23 Q. Right? It was a big deal around the club, wasn't it?

03:52PM 24 A. Yes.

03:52PM 25 Q. Everybody was talking about it, right?

03:52PM

1 A. Yes.

03:52PM

2 Q. It was a big annual event, correct?

03:52PM

3 A. Yes.

03:52PM

4 Q. People would circle that on their calendars, right?

03:52PM

5 A. Yeah.

03:52PM

6 Q. All right. And you understood -- strike that.

03:52PM

7 You had an opinion that it was important to Mr. Gerace,

03:52PM

8 right?

03:52PM

9 A. Yes.

03:52PM

10 Q. Okay. And you chose not to do it, correct?

03:52PM

11 A. Correct.

03:52PM

12 Q. You didn't want to work the golf tournament, right?

03:52PM

13 A. Right.

03:52PM

14 Q. Okay. And -- and you didn't have any sort of punishment

03:52PM

15 for not working the golf tournament, correct?

03:52PM

16 A. Correct.

03:52PM

17 Q. Yeah. Okay. Now, earlier we talked about some of the

03:52PM

18 decision making when you're addicted; do you recall that

03:52PM

19 testimony?

03:52PM

20 A. Yes.

03:52PM

21 Q. And we agreed, I think, that even though you're addicted

03:52PM

22 to narcotics, you can still make decisions, correct?

03:52PM

23 A. Yes.

03:52PM

24 Q. Yeah. And we talked about when you were addicted to

03:52PM

25 narcotics, at times you made decisions to go to rehab,

03:52PM 1 correct?

03:52PM 2 A. Yes.

03:52PM 3 Q. Now, there was also times when rehab was presented to

03:52PM 4 you, and you made a decision not to go; is that correct?

03:53PM 5 A. Yes.

03:53PM 6 Q. Right? There was an incident in June of 2016 where you

03:53PM 7 had overdosed, correct?

03:53PM 8 A. Yes.

03:53PM 9 **MR. TRIPI:** Objection.

03:53PM 10 **BY MR. SOEHNLEIN:**

03:53PM 11 Q. And that was outside the club --

03:53PM 12 **THE COURT:** Hold on. Hold on.

03:53PM 13 **MR. TRIPI:** These are objections based on Rule 608
03:53PM 14 and 609, Your Honor, if you would like to hear argument.

03:53PM 15 **THE COURT:** Sure. Come on up.

03:53PM 16 (Sidebar discussion held on the record.)

03:53PM 17 **MR. TRIPI:** I get that the he's entitled to some
03:53PM 18 broad latitude on cross in the area of bias, but bias doesn't
03:53PM 19 swallow the rules in terms of Rule 608 and 609.

03:53PM 20 So, whether she got arrested and chose not to -- in
03:53PM 21 2016 and chose not to go to rehab is -- it's, A, not relevant,
03:53PM 22 B, it's not impeaching in any way. Right? And C --

03:53PM 23 **MR. SOEHNLEIN:** If I --

03:53PM 24 **MR. TRIPI:** Sorry, if I can just finish.

03:53PM 25 -- and C, like, the last part of that, Judge, would

1 be not going to rehab has nothing to do with one's credibility
2 or veracity. And so --

3 And an arrest certainly doesn't qualify for something
4 you can cross-examine on for those purposes. So that's my 608
5 and 609 objection.

6 **MR. SOEHNLEIN:** So I thought that I didn't mention
7 the arrest in the question, I said overdose.

8 And the reason I'm offering it is to demonstrate that
9 she can make decisions, which goes to the coercion at that
10 point in time.

11 **MR. TRIPI:** He did reference an arrest.

12 **MR. SOEHNLEIN:** It's not in -- it's not in the
13 transcript, Judge.

14 **MR. TRIPI:** If I misheard it, I misheard it.

15 **THE COURT:** There were also, as I see it, there were
16 also times when rehab was presented to you, and you made a
17 decision not to go; is that correct? Yes.

18 Right. There was an incident in June of 2016 where
19 you had overdosed, correct? Yes.

20 Objection.

21 **MR. TRIPI:** I think I heard arrest in that question.

22 **THE COURT:** Ann, did he say arrest?

23 **COURT REPORTER:** No, Judge.

24 **MR. TRIPI:** He said incident, my brain said arrest,
25 that's okay.

03:55PM 1 **THE COURT:** No, no, that's fine, Mr. Tripi. And I'm
03:55PM 2 not suggesting you made it up. I'm just saying I didn't hear
03:55PM 3 it, Ann didn't hear it, Mr. Soehnlein didn't say it.

03:55PM 4 **MR. TRIPI:** Fair enough.

03:55PM 5 **MR. SOEHNLEIN:** Yeah. And I messed up earlier, too,
03:55PM 6 so, you know --

03:55PM 7 (End of sidebar discussion.)

03:55PM 8 **THE COURT:** Okay. The objection is overruled.

03:55PM 9 **BY MR. SOEHNLEIN:**

03:55PM 10 Q. So there was an incident in June of 2016 where you
03:55PM 11 overdosed; do you recall that?

03:55PM 12 A. Yes.

03:55PM 13 Q. Okay. And that was outside the club, correct?

03:55PM 14 A. Yes.

03:55PM 15 Q. It wasn't at Pharaoh's, correct?

03:55PM 16 A. Correct.

03:55PM 17 Q. Okay. And you were taken to ECMC, correct?

03:55PM 18 A. Yes.

03:55PM 19 Q. You were Narcanned, correct?

03:55PM 20 A. Yes.

03:55PM 21 Q. And at ECMC, the option to go to rehab was presented to
03:55PM 22 you, correct?

03:55PM 23 A. Not at ECMC.

03:55PM 24 Q. You don't recall that, do you?

03:56PM 25 **MR. SOEHNLEIN:** Can we show the witness 3571C,

1 please.

2 **THE COURT:** Hang on.

3 **MR. TRIPI:** Can we get an answer to that?

4 **THE COURT:** No, we didn't get an answer.

5 **MR. SOEHNLEIN:** I'm sorry.

6 **THE WITNESS:** Yeah, let me see.

7 **BY MR. SOEHNLEIN:**

8 Q. Okay. You want to see the exhibit?

9 A. Yeah.

10 **MR. SOEHNLEIN:** All right. Can we show her 3571C,
11 please.

12 **MR. TRIPI:** Witness only.

13 **MR. SOEHNLEIN:** Witness only, yes.

14 **BY MR. SOEHNLEIN:**

15 Q. And what I want you to do is read through the exhibit.

16 When you've got a good sense of it, let us know, and then

17 I'll ask you questions. Okay?

18 Oh, yeah, and you're going to have to let Ms. Champoux
19 know when you're ready to scroll to the next page, unless you
20 can scroll up there.

21 A. Oh. I don't think -- no. Whoa, I just wrote a big red
22 line.

23 **MR. SOEHNLEIN:** Sorry, can you move it to page 2?

24 The first page is just the record certification.

25 **THE WITNESS:** Okay.

25	A. Yes.
----	---------

03:58PM 1 Q. And they took you to ECMC, correct?

03:58PM 2 A. Correct.

03:58PM 3 Q. And they wanted you to stay there for some treatment,
03:58PM 4 correct?

03:58PM 5 A. No, that is not what they wanted.

03:58PM 6 Q. Okay.

03:58PM 7 A. They wanted me to stay for four to eight hours until all
03:58PM 8 the Narcan wore off of me. You cannot just sign out.

03:58PM 9 Q. Okay.

03:59PM 10 A. So that's what happened. They didn't -- because it even
03:59PM 11 said that I was going Pennsylvania that day to go to rehab.

03:59PM 12 Q. Okay. And you chose to check out of the hospital against
03:59PM 13 medical advice, correct?

03:59PM 14 A. Yes.

03:59PM 15 Q. You made the conscious decision I don't want to be here
03:59PM 16 anymore, I'm gonna getaway from here, correct?

03:59PM 17 A. Yes.

03:59PM 18 Q. And is it your recollection was because you were going to
03:59PM 19 go to rehab?

03:59PM 20 A. Yes.

03:59PM 21 Q. So this overdose occurred, you were kind of going heavy
03:59PM 22 on the narcotics that day because you knew that you were
03:59PM 23 gonna go and try to stop using in the near future?

03:59PM 24 A. Yes.

03:59PM 25 Q. And that was another decision that you had made, correct?

03:59PM 1 A. Right.

03:59PM 2 Q. Okay. So just to understand your decisionmaking at that

03:59PM 3 time, you had chose to go to rehab, correct? Correct?

03:59PM 4 A. Yes.

03:59PM 5 Q. That was in 2016, correct?

03:59PM 6 A. Yes.

03:59PM 7 Q. That was when you were working at Pharaoh's, correct?

03:59PM 8 A. Yes.

03:59PM 9 Q. And that was your decision, correct?

03:59PM 10 A. Yes.

03:59PM 11 Q. And you chose to use heavy because you were going to

03:59PM 12 rehab, correct?

03:59PM 13 A. Yes.

04:00PM 14 Q. And that was your decision, correct?

04:00PM 15 A. Yes.

04:00PM 16 Q. And then you overdosed, correct?

04:00PM 17 A. Yes.

04:00PM 18 Q. And you overdosed outside of the club, correct?

04:00PM 19 A. Yes.

04:00PM 20 Q. And you were taken to the hospital, correct?

04:00PM 21 A. Yes.

04:00PM 22 Q. And you were given Narcan, correct?

04:00PM 23 A. Yes.

04:00PM 24 Q. And the hospital wanted you to stay longer, correct?

04:00PM 25 A. Yes.

04:00PM 1 Q. They advised that you stay another two days, correct?

04:00PM 2 A. Two hours.

04:00PM 3 Q. Oh, I'm sorry, they advised that you stay another two

04:00PM 4 hours, correct?

04:00PM 5 A. Yes.

04:00PM 6 Q. And you chose to leave the hospital against medical

04:00PM 7 advice, correct?

04:00PM 8 A. Yeah. Because I knew two hours wasn't gonna do nothing.

04:00PM 9 Q. Okay. And those were all decisions that you were making

04:00PM 10 at that point in time in June of 2016, correct?

04:00PM 11 A. Yes.

04:00PM 12 Q. All right. Decisions that you made on your own, correct?

04:00PM 13 A. Yes.

04:00PM 14 Q. Okay. Even though you were addicted to drugs, correct?

04:00PM 15 A. Yes.

04:00PM 16 Q. Okay. You still had that agency that you could choose

04:00PM 17 for yourself, correct?

04:00PM 18 A. Yes.

04:00PM 19 Q. Yes. You could still make decisions for yourself,

04:00PM 20 correct?

04:00PM 21 A. Yes.

04:00PM 22 Q. Okay. I want to ask you some questions about that

04:00PM 23 gentleman named Joe Barsuk; do you recall that gentleman?

04:01PM 24 A. Yes.

04:01PM 25 Q. Okay. Now, I think your testimony was he was a former

04:01PM 1 chiropractor, correct?

04:01PM 2 A. Yes.

04:01PM 3 Q. And he was kind of a regular at Pharaoh's, correct?

04:01PM 4 A. Yes.

04:01PM 5 Q. Okay. And there came a time where you developed a

04:01PM 6 relationship with him in the VIP Room, correct?

04:01PM 7 A. Yes.

04:01PM 8 Q. And in the VIP Room, it's your testimony that he's

04:01PM 9 tipping Brian Rosenthal a large sum of money to look the

04:01PM 10 other way, correct?

04:01PM 11 A. Yes.

04:01PM 12 Q. Okay. And that's consistent with your other testimony in

04:01PM 13 the VIP, correct?

04:01PM 14 A. Yes.

04:01PM 15 Q. So Mr. Casey is also tipping Mr. Rosenthal a high amount

04:01PM 16 of money, correct?

04:01PM 17 A. Yes.

04:01PM 18 Q. And other patrons are also tipping Mr. Rosenthal a high

04:01PM 19 amount of money, correct?

04:01PM 20 A. Yes.

04:01PM 21 Q. Okay. Now Mr. Rosenthal is paid by Mr. Gerace to watch

04:01PM 22 the cameras, correct?

04:01PM 23 A. Supposed to.

04:01PM 24 Q. And in that situation, he's paid to watch the cameras,

04:01PM 25 correct?

04:01PM 1 A. Yes.

04:01PM 2 Q. That's his job, right?

04:01PM 3 A. Right.

04:02PM 4 Q. To keep the VIP safe, correct?

04:02PM 5 A. Yes.

04:02PM 6 Q. And here, and you a patron are agreeing that he should be

04:02PM 7 paid more to look the other way, correct?

04:02PM 8 A. Yes.

04:02PM 9 Q. When you went back in the VIP, that's what you wanted to

04:02PM 10 have happen, correct?

04:02PM 11 A. I didn't want that, but I needed that.

04:02PM 12 Q. Well, hold on, hold on.

04:02PM 13 There's, you had testimony about Mr. Casey; do you recall

04:02PM 14 that testimony?

04:02PM 15 A. Yes.

04:02PM 16 Q. Okay. And you recall that you went back in the VIP with

04:02PM 17 him, along with A.A., correct?

04:02PM 18 A. Yes.

04:02PM 19 Q. And Mr. Casey wanted to do something where he was doing a

04:02PM 20 sex act with both of you at the same time, correct?

04:02PM 21 A. Right.

04:02PM 22 Q. And I think he offered you -- I think it was \$1,000; is

04:02PM 23 that correct?

04:02PM 24 A. Yes.

04:02PM 25 Q. And you wanted the \$1,000, correct?

04:02PM 1 A. Yes.

04:02PM 2 Q. And so you agreed to engage in the sex act, correct?

04:02PM 3 A. Yes.

04:02PM 4 Q. And you had an understanding that Brian would be paid off
04:02PM 5 to look the other way, correct?

04:02PM 6 A. Yes.

04:02PM 7 Q. Brian would be paid not to do his job, correct?

04:02PM 8 A. Yeah.

04:02PM 9 Q. Brian would be paid to violate his obligations to
04:02PM 10 Mr. Gerace, correct?

04:02PM 11 A. Yes.

04:02PM 12 **MR. TRIPI:** Objection.

04:02PM 13 **BY MR. SOEHNLEIN:**

04:02PM 14 Q. And that's --

04:02PM 15 **THE COURT:** Stop, stop, stop, stop, stop.

04:02PM 16 **MR. TRIPI:** Objection. 602, personal knowledge.

04:03PM 17 **THE COURT:** No, overruled.

04:03PM 18 **BY MR. SOEHNLEIN:**

04:03PM 19 Q. Brian was paid not to do his job, correct?

04:03PM 20 A. Yes.

04:03PM 21 Q. And that was something that you wanted to have happen,
04:03PM 22 correct?

04:03PM 23 A. Yes.

04:03PM 24 Q. Because you wanted the money, correct?

04:03PM 25 A. Wait. Time out. I -- I'm having a mental block.

04:03PM 1 Q. Just "yes" or "no." Yes, no, or I don't know.

04:03PM 2 **MR. TRIPI:** Objection. She's allowed to answer. She
04:03PM 3 said time out, she's thinking.

04:03PM 4 **THE WITNESS:** Right.

04:03PM 5 **MR. TRIPI:** Don't shove another question down her
04:03PM 6 throat.

04:03PM 7 **THE WITNESS:** Yeah, he's going really fast.

04:03PM 8 **THE COURT:** Okay. Look it, the jury will strike the
04:03PM 9 trying to shove another question down her throat.

04:03PM 10 **MR. TRIPI:** I apologize.

04:03PM 11 **THE COURT:** That's okay. The jury will strike that.

04:03PM 12 **THE WITNESS:** Or maybe if you could just --

04:03PM 13 **THE COURT:** Ma'am, stop.

04:03PM 14 If you want a yes-or-no answer, you can tell the
04:03PM 15 witness I want "yes," "no," or "I can't answer yes or no."

04:03PM 16 Otherwise, give her time to think about it and let
04:03PM 17 her answer. Okay?

04:03PM 18 **MR. SOEHNLEIN:** Thank you.

04:03PM 19 **THE COURT:** Next question. The question is
04:03PM 20 withdrawn. New question.

04:03PM 21 **BY MR. SOEHNLEIN:**

04:03PM 22 Q. Okay. I think you gave testimony both in the grand jury
04:04PM 23 and earlier that you wanted money to get drugs, correct?

04:04PM 24 A. Yes.

04:04PM 25 Q. That's what you wanted to have happen at that point in

04:04PM 1 time, correct?

04:04PM 2 A. When I was dancing?

04:04PM 3 Q. Yeah.

04:04PM 4 A. Yeah.

04:04PM 5 Q. Okay. And you also understood that if Brian, the VIP

04:04PM 6 attendant, was doing his job correctly, he would not have

04:04PM 7 allowed sex acts to happen in the VIP, correct?

04:04PM 8 A. Correct.

04:04PM 9 Q. And when you went back to have sex acts --or, to perform

04:04PM 10 sex acts in the VIP, you knew that he was being paid to look

04:04PM 11 the other way, correct?

04:04PM 12 A. Yes.

04:04PM 13 Q. Yeah. Now, when you were talking about Mr. Casey and

04:04PM 14 Mr. Barsuk, Mr. Gerace was not part of any of those

04:04PM 15 conversations, correct?

04:04PM 16 A. No.

04:04PM 17 Q. In fact, you had testimony in the grand jury that

04:04PM 18 Mr. Gerace was rarely there, correct?

04:04PM 19 A. Correct.

04:04PM 20 Q. He wasn't really around, right?

04:05PM 21 **MR. TRIPI:** Objection as to hearsay. Move to strike.

04:05PM 22 Improper impeachment. You had testimony in grand jury -- he

04:05PM 23 went quick, so I'm objecting and moving to strike, it's

04:05PM 24 hearsay.

04:05PM 25 **THE COURT:** The question -- the testimony in the

1 grand jury, yes, so that is sustained.

2 The jury will strike the question and answer about
3 testimony in the grand jury.

4 Next question.

5 **BY MR. SOEHNLEIN:**

6 Q. Mr. Gerace was rarely there, correct?

7 A. Correct.

8 Q. Yeah. He hired other people to work the club, correct?

9 A. Yes.

10 Q. To include managers, correct?

11 A. Yes.

12 Q. To include VIP attendants, correct?

13 A. Yes.

14 Q. To include bartenders, correct?

15 A. Yes.

16 Q. Okay. And he was paying those people to do their job,
17 correct?

18 A. Yes.

19 Q. Okay. And this VIP scenario that you're talking about
20 included paying the VIP attendant more not to do his job,
21 correct?

22 A. Yes.

23 Q. Okay. Now I think we talked earlier that that you were
24 fired from Pharaoh's multiple times in connection with drug
25 use, correct?

04:06PM

1 A. Yes.

04:06PM

2 Q. Okay. And -- and that you went to rehab and that you

04:06PM

3 came back, correct?

04:06PM

4 A. Yes.

04:06PM

5 Q. Yes? And when you came back from rehab, you told them

04:06PM

6 that you had been to rehab, correct?

04:06PM

7 A. Not every single time, I didn't tell them I went in. But

04:06PM

8 you could just tell my by appearance.

04:06PM

9 Q. Okay. You looked better, right?

04:06PM

10 A. Yep.

04:06PM

11 Q. You looked healthy?

04:06PM

12 A. Yes.

04:06PM

13 Q. You looked drug free, right?

04:06PM

14 A. Yes.

04:06PM

15 Q. You were clear minded?

04:06PM

16 A. Yes.

04:06PM

17 Q. You were more focused --

04:06PM

18 A. Yes.

04:06PM

19 Q. -- correct? And you were able to answer whatever

04:06PM

20 questions they had, correct?

04:06PM

21 A. Yes.

04:06PM

22 Q. Okay. Now, there did come a time where your locker was

04:06PM

23 searched and drugs were found, correct?

04:06PM

24 A. Yes.

04:06PM

25 Q. Okay. And what drugs were found in your locker?

04:06PM 1 A. I'm not sure. It was heroin and cocaine, or one or the
04:07PM 2 other.

04:07PM 3 Q. Okay. But there was at least one time where lockers were
04:07PM 4 searched, and they found drugs in yours?

04:07PM 5 A. Yes.

04:07PM 6 Q. Okay. And that was in connection with an incident where
04:07PM 7 you were fired, correct?

04:07PM 8 A. Yes.

04:07PM 9 Q. Okay. So they search your locker, right? Correct?

04:07PM 10 A. Yeah.

04:07PM 11 Q. They find heroin and cocaine, correct?

04:07PM 12 A. Yes.

04:07PM 13 Q. They fired you, correct?

04:07PM 14 A. Yes.

04:07PM 15 Q. Okay. You go to rehab, correct?

04:07PM 16 A. Yes.

04:07PM 17 Q. You come back to the club, correct?

04:07PM 18 A. Yes.

04:07PM 19 Q. And then you start working again, correct?

04:07PM 20 A. Yes.

04:07PM 21 Q. Okay. And that's how it worked, right?

04:07PM 22 A. Yes.

04:07PM 23 Q. It was just a revolving door, correct?

04:07PM 24 A. Yes.

04:07PM 25 Q. Okay. Now, you also were trying to hide your drug use

04:07PM 1 while you were working at the club, correct?

04:07PM 2 A. Yes.

04:07PM 3 Q. Yeah. You were putting makeup on your track marks,

04:07PM 4 correct?

04:07PM 5 A. Yes.

04:07PM 6 Q. And you were trying use -- wear clothing that would cover

04:07PM 7 your arms, correct?

04:07PM 8 A. Yes.

04:07PM 9 Q. And your legs sometimes, correct?

04:07PM 10 A. Yes.

04:07PM 11 Q. And when you spoke with customers, you didn't tell them

04:07PM 12 that you were addicted, right?

04:07PM 13 A. Right.

04:07PM 14 Q. Okay. You tried hard not to make that obvious, correct?

04:07PM 15 A. Right.

04:08PM 16 Q. Okay. Because you understood that people might not want

04:08PM 17 to pay for a dance with an addicted dancer, right?

04:08PM 18 A. Correct.

04:08PM 19 Q. Okay. So you had a vested interest in doing that,

04:08PM 20 correct?

04:08PM 21 A. Yes.

04:08PM 22 Q. But you're still trying to cover it up from everybody,

04:08PM 23 right?

04:08PM 24 A. Yes.

04:08PM 25 Q. When you're using drugs at the club, you're using them in

04:08PM 1 private areas, correct?

04:08PM 2 A. Not always.

04:08PM 3 Q. Well, you're primarily using it in the locker room or the

04:08PM 4 bathroom off the locker room, correct?

04:08PM 5 A. Yeah.

04:08PM 6 Q. Yeah. There's no cameras in there, right?

04:08PM 7 A. Right.

04:08PM 8 Q. Because those are women's changing and women's bathrooms

04:08PM 9 area, right.

04:08PM 10 A. Yes.

04:08PM 11 Q. Women wouldn't want to work there if there were cameras

04:08PM 12 there, right?

04:08PM 13 A. Correct.

04:08PM 14 Q. You wouldn't want to work there if there were cameras

04:08PM 15 there, right?

04:08PM 16 A. Yes.

04:08PM 17 Q. It would be an invasion of privacy, correct?

04:08PM 18 A. Yes.

04:08PM 19 Q. But that's where you were choosing to use drugs, correct?

04:08PM 20 A. Yes.

04:08PM 21 Q. Because you didn't want people to know, correct?

04:08PM 22 A. Correct.

04:08PM 23 Q. Because you knew there would be adverse consequences if

04:08PM 24 they found out, correct?

04:08PM 25 A. Yeah.

04:08PM 1 Q. Just like when they searched your locker and they fired
04:08PM 2 you, right?

04:08PM 3 A. Yes.

04:08PM 4 Q. Okay. Now, there was a point in time in the summer of
04:09PM 5 2023 where you were interacting with the government before
04:09PM 6 you had that cocaine slipup; do you recall that period of
04:09PM 7 time?

04:09PM 8 A. No.

04:09PM 9 Q. You -- you don't recall, so it's that period of time in
04:09PM 10 connection with some of those text messages that we saw
04:09PM 11 earlier with Special Agent Burns; do you recall that?

04:09PM 12 A. Yes.

04:09PM 13 Q. Okay. And at that point in time, you weren't receiving
04:09PM 14 any government benefits, correct?

04:09PM 15 A. When?

04:09PM 16 Q. So I'm talking about July of 2023.

04:09PM 17 A. July 2023, I wasn't receiving -- I was receiving my
04:09PM 18 Section 8 was getting on, and my -- I had food stamps.

04:09PM 19 Q. Okay. But you weren't receiving funding directly from
04:10PM 20 the U.S. Attorney's Office or the FBI, correct?

04:10PM 21 A. Correct.

04:10PM 22 Q. Okay. Now, you did share with the government that at
04:10PM 23 that point in time you and your significant other, Jeff, were
04:10PM 24 engaged in a Medicaid cab scheme; do you recall that?

04:10PM 25 A. Yes.

04:10PM 1 Q. Okay. And that was a scheme where you and him were
04:10PM 2 taking medical cab rides, correct?

04:10PM 3 A. Yes.

04:10PM 4 Q. It was an illegal scheme, correct?

04:10PM 5 A. Yes.

04:10PM 6 Q. And law enforcement cracked down on it, correct?

04:10PM 7 A. Yes.

04:10PM 8 Q. And it was a fraud, right?

04:10PM 9 A. Yes.

04:10PM 10 Q. And you were playing a part in it, right?

04:10PM 11 A. Yes.

04:10PM 12 Q. And Jeff was playing a part in it, correct?

04:10PM 13 A. Yes.

04:10PM 14 Q. And it was against the law, right?

04:10PM 15 A. Yes.

04:10PM 16 Q. And you knew it was against the law, right?

04:10PM 17 A. Yeah.

04:10PM 18 Q. It was a fraud, right?

04:10PM 19 A. Yes.

04:10PM 20 Q. And you told that to the U.S. Attorney's Office in 2023,
04:10PM 21 correct?

04:10PM 22 A. Yes.

04:10PM 23 Q. And you've never been prosecuted for that, right?

04:10PM 24 A. Correct.

04:10PM 25 Q. They've never threatened you with charged, correct?

04:10PM 1 A. No.

04:10PM 2 Q. All right. They've never said, you know, we can't use

04:10PM 3 you as a witness because you perpetrated this fraud, nothing

04:10PM 4 like that, correct?

04:10PM 5 A. Correct.

04:10PM 6 Q. Okay. And, in fact, you disclosed it to them one time,

04:11PM 7 and they never brought it up again, right? Correct?

04:11PM 8 A. Correct.

04:11PM 9 Q. Even though it involved very clear fraudulent activity,
04:11PM 10 correct?

04:11PM 11 A. Yeah, with mostly all of Buffalo though.

04:11PM 12 Q. So but you were doing it, right?

04:11PM 13 A. Yeah.

04:11PM 14 Q. Okay. And it's your opinion that just kind of -- it's
04:11PM 15 very widespread?

04:11PM 16 A. Like, you know, at first when I was getting it, I didn't
04:11PM 17 know about it.

04:11PM 18 Q. Okay.

04:11PM 19 A. I had --

04:11PM 20 Q. But you did learn that it was illegal?

04:11PM 21 A. Right.

04:11PM 22 Q. Right? And you kept doing, right?

04:11PM 23 A. Well, no. It got shut down.

04:11PM 24 Q. Okay. But you learned that it was illegal, right?

04:11PM 25 A. Yes.

04:11PM 1 Q. Okay. You were doing it, right?

04:11PM 2 A. Yes.

04:11PM 3 Q. Okay. It was a fraud, right?

04:11PM 4 A. Yes.

04:11PM 5 Q. And -- and you told the government about it, right?

04:11PM 6 A. Yes.

04:11PM 7 Q. Okay. And -- and that only came up one time, right?

04:11PM 8 A. It might have came up more.

04:11PM 9 Q. Okay. Now, but in any event, you were never charged with

04:11PM 10 that, correct?

04:12PM 11 A. Right.

04:12PM 12 Q. Okay. Now, it's your testimony I think that you -- that

04:12PM 13 you became addicted to drugs very early at Pharaoh's,

04:12PM 14 correct?

04:12PM 15 A. Yes.

04:12PM 16 Q. Within, I think, the first two weeks or two months or

04:12PM 17 something like that, right?

04:12PM 18 A. Few months.

04:12PM 19 Q. All right. And you used it almost immediately, right?

04:12PM 20 A. Yes.

04:12PM 21 Q. I think your testimony is, like, on the first shift or

04:12PM 22 something like that, correct?

04:12PM 23 A. I don't remember exactly.

04:12PM 24 Q. Okay. You don't remember the first time you used?

04:12PM 25 A. Well, it was not first shift.

1 Q. Okay.

2 A. It would be second shift --

3 Q. Okay.

4 A. -- number one.

5 And it wasn't -- it was probably a couple days in that I

6 started using.

7 Q. Okay.

8 A. Not, like, the very first day.

9 Q. Okay. Well so the -- the testimony that we were just

0 talking about where you were engaged in that illegal Medicare

1 cab scheme, that was in July of 2023, right?

2 A. Yes.

3 Q. Correct?

4 A. Yes.

5 Q. All right. And at that point in time, you, your

6 significant other, and your baby boy are living together,

7 correct?

8 A. Yes.

9 Q. And are you living in Pennsylvania then, or Buffalo?

0 A. Cuba, New York.

1 Q. Cuba, New York?

2 A. Yes.

3 Q. Cuba, New York. And that that scheme gets shut down,

4 correct?

5 A. Right.

04:13PM 1 Q. And that was one way that you were making money at the
04:13PM 2 time, correct?

04:13PM 3 A. Yes.

04:13PM 4 Q. And one way that Jeff was making money at the time,
04:13PM 5 correct?

04:13PM 6 A. Yes.

04:13PM 7 Q. Okay. So the household income takes a hit at that point
04:13PM 8 in time, correct?

04:13PM 9 A. Yes.

04:13PM 10 Q. And then you have that slipup with the cocaine, correct?

04:13PM 11 A. That wasn't the same year.

04:13PM 12 Q. We're talking about different years?

04:13PM 13 A. My slipup was 2023?

04:13PM 14 Q. Yes.

04:13PM 15 A. Yes.

04:13PM 16 Q. Yes. Okay. And at the time you had the cocaine slipup,
04:13PM 17 how were you supporting yourself?

04:13PM 18 A. Through DSS.

04:13PM 19 Q. Okay. And what was Jeff doing for work?

04:13PM 20 A. He paints on the side.

04:13PM 21 Q. Okay. And there came a time, and I think we looked at
04:14PM 22 it, on August 15th, that you have a prep meeting with the
04:14PM 23 government?

04:14PM 24 A. Okay.

04:14PM 25 Q. Do you recall, we looked at that, and we can look at it

1 again if you need a refresher --

2 A. Okay.

3 Q. -- okay? But on August 15th, I think it's one of the

4 dates that you have there, double check it, August 15th of

5 2023?

6 A. Yeah.

7 Q. Okay. So you had that cocaine slipup in early August,

8 right?

9 A. Yes.

10 Q. And the government put you up at a hotel, correct?

11 A. This? I don't remember having a slipup in 2023 with

12 cocaine, it was this year over the summer.

13 Q. It was 2024?

14 A. Yes.

15 Q. That you think you had the slipup?

16 A. I know it was '24.

17 Q. Let's check and make sure that we get it right.

18 A. Yeah, I don't remember '23 having that. I might be wrong

19 though.

20 **MR. SOEHNLEIN:** Okay. Can you show for the witness,

21 can you show her -- let's try Exhibit 3571AM.

22 **MS. CHAMPOUX:** As in Mary.

23 **MR. SOEHNLEIN:** As in Mary or mother, yeah.

24 **MS. CHAMPOUX:** That's the grand jury.

25 **MR. SOEHNLEIN:** Yes, just for the witness.

04:15PM

1

BY MR. SOEHNLEIN:

04:15PM

2

Q. Okay. So, I'm showing you the cover page to your grand

04:15PM

3

jury testimony. Do you see where it says September 7th,

04:15PM

4

2023?

04:15PM

5

A. Yes.

04:15PM

6

MR. SOEHNLEIN: Okay. And if we can just scroll

04:15PM

7

down, Ms. Champoux. And I'm going try and find it. Keep

04:16PM

8

going down. Keep going down, please.

04:16PM

9

Keep going down. Okay. Stop right there.

04:16PM

10

BY MR. SOEHNLEIN:

04:16PM

11

Q. If you could just read for yourself, you see how the top

04:16PM

12

of the page there is page 4?

04:16PM

13

A. I see 5.

04:16PM

14

Q. I understand. But the page immediately above that would

04:16PM

15

be 4.

04:16PM

16

A. Right.

04:16PM

17

Q. Okay. So start reading at line 22, and just read through

04:16PM

18

line 4 of the following page, please.

04:16PM

19

Does that refresh your recollection that it was 2023?

04:16PM

20

A. Yes.

04:16PM

21

Q. Okay.

04:16PM

22

MR. SOEHNLEIN: You can take that down now.

04:16PM

23

BY MR. SOEHNLEIN:

04:16PM

24

Q. All right. So you have that cocaine slipup in around

04:17PM

25

early August of 2023, correct?

04:17PM 1 A. Yes.

04:17PM 2 Q. And the government puts you into a hotel, correct?

04:17PM 3 A. Yes.

04:17PM 4 Q. They -- and they kind of help you gather your things,
04:17PM 5 correct?

04:17PM 6 A. Right.

04:17PM 7 Q. And -- and I think you had some testimony on direct
04:17PM 8 about, you know, some conversation that you and D.P. had had
04:17PM 9 with Mr. Gerace about going out to dates with other men; do
04:17PM 10 you recall that testimony?

04:17PM 11 A. Yes.

04:17PM 12 Q. Okay. Now, do you recall, did you share that information
04:17PM 13 originally with law enforcement?

04:17PM 14 A. On what? I obviously shared the information.

04:17PM 15 Q. Okay. But you didn't share it with law enforcement until
04:17PM 16 after they started paying for your housing expenses; isn't
04:17PM 17 that correct?

04:17PM 18 A. I am not sure. But --

04:17PM 19 Q. Okay.

04:17PM 20 A. -- it definitely had nothing to do with that.

04:17PM 21 Q. Well, let's just -- let's take it one thing at a time.

04:17PM 22 A. Some things come back in your memory.

04:17PM 23 **MR. SOEHNLEIN:** Can you show the witness

04:18PM 24 Exhibit 3571AA. And if I can go to page 2 of that exhibit,
04:18PM 25 please.

25 | A. Just because I didn't share it at our first meeting --

04:20PM 1 Q. Just "yes" or "no." You hadn't shared it before,
04:20PM 2 correct?

04:20PM 3 A. Yes, I have.

04:20PM 4 Q. You believe that you shared it in 2020?

04:20PM 5 A. Okay. That's where your question needs to stay at. Did
04:20PM 6 I share it in 2020? No.

04:20PM 7 Q. Did you share it in 2021?

04:20PM 8 A. I believe not.

04:20PM 9 Q. Okay. Did you share it in 2022?

04:20PM 10 A. No.

04:20PM 11 Q. You shared it in 2023?

04:20PM 12 A. Yes.

04:20PM 13 Q. Okay. You shared it after they started paying for your
04:20PM 14 housing, correct? Yes?

04:20PM 15 A. Okay. Yes.

04:20PM 16 Q. Yes. Okay. And when you shared it, you told them that
04:21PM 17 this was a conversation you had with Mr. Gerace at Pharaoh's,
04:21PM 18 correct?

04:21PM 19 A. Say that again?

04:21PM 20 Q. When you shared it with them, you told them the
04:21PM 21 conversation took place at Pharaoh's, correct?

04:21PM 22 A. Yes.

04:21PM 23 Q. And you told them you were not using drugs at the time,
04:21PM 24 correct?

04:21PM 25 A. No, I don't believe that.

04:21PM 1 Q. Okay. So, it's not your recollection that you told them
04:21PM 2 that you were drinking wine?

04:21PM 3 A. I know I said I was drinking wine.

04:21PM 4 Q. Okay.

04:21PM 5 A. Then it moved to drugs.

04:21PM 6 Q. Then it moved to drugs?

04:21PM 7 A. Yes.

04:21PM 8 Q. Then it changed to drugs? Okay.

04:21PM 9 A. Oh, my God.

04:21PM 10 Q. Now, in the course of time that you were having your
04:21PM 11 housing paid for by or subsidized by federal law enforcement,
04:22PM 12 you were also in contact with them about various housing
04:22PM 13 applications that you were doing, correct?

04:22PM 14 A. Yes.

04:22PM 15 Q. And you were letting them know that you were trying to
04:22PM 16 get into specific apartments or specific locations, things
04:22PM 17 like that, correct?

04:22PM 18 A. Yes.

04:22PM 19 Q. And -- and that was consistent through September of 2023,
04:22PM 20 correct?

04:22PM 21 A. I would say 2022. Because in 2023, I got my Section 8.

04:22PM 22 Q. Okay. I want to refresh your recollection.

04:22PM 23 **MR. SOEHNLEIN:** Can you show the witness 3571AS. And
04:22PM 24 I'm looking at a conversation from September 11th of 2023.

04:22PM 25 **BY MR. SOEHNLEIN:**

04:22PM 1 Q. And, once again, these are text messages with Special
04:22PM 2 Agent Smaldino, correct?

04:23PM 3 A. Can I get a pen?

04:23PM 4 Q. Absolutely.

04:23PM 5 A. Thank you. I'm sorry.

04:23PM 6 Q. Okay. And so I want you to just review -- well, do you
04:23PM 7 want to review the whole day, or do you want me to direct you
04:23PM 8 to some specific lines that you I want you to look at?

04:23PM 9 A. Yeah, direct.

04:23PM 10 Q. Direct? Okay.

04:23PM 11 I'm really interested in the lines that start at
04:23PM 12 18:12:59, but I want you to make sure you have a clear
04:23PM 13 picture of what's going on here. I'm not trying to trick you
04:23PM 14 or --

04:23PM 15 A. No, I know.

04:23PM 16 Q. -- or deceive you or anything. So I want to make sure
04:23PM 17 you're comfortable. And once you've reviewed it, just let me
04:23PM 18 know you've reviewed it, and we can go through a couple
04:23PM 19 things.

04:23PM 20 You reviewed it, correct? Okay.

04:23PM 21 Now at this point in time, you're trying to get into it
04:23PM 22 county housing; is that how it works? Or subsidized housing?

04:24PM 23 A. Subsidized.

04:24PM 24 Q. Yeah. And there's an application in connection with
04:24PM 25 subsidized housing, correct?

04:24PM

1 A. Yeah.

04:24PM

2 Q. Okay. And you have custody of one of your children,

04:24PM

3 correct?

04:24PM

4 A. Correct.

04:24PM

5 Q. You told the Housing Authority you had custody of both,

04:24PM

6 correct?

04:24PM

7 A. Right.

04:24PM

8 Q. You told them you had custody of both so you could get a

04:24PM

9 bigger unit, correct?

04:24PM

10 A. Yes.

04:24PM

11 Q. Yeah. And you told Special Agent Smaldino that you were

04:24PM

12 doing that, correct?

04:24PM

13 A. Yes.

04:24PM

14 Q. And her response was okay, right?

04:24PM

15 A. Yes. But because I already had found out that I don't

04:24PM

16 have to have custody, I can have that bigger room just

04:24PM

17 because she comes for visitation.

04:24PM

18 Q. Hold on. You -- you told her that you put on the

04:24PM

19 referral that you have custody, correct?

04:24PM

20 A. Yes.

04:24PM

21 Q. Okay. And that's not true, correct?

04:24PM

22 A. Right.

04:24PM

23 Q. That is inaccurate, correct?

04:24PM

24 A. Yes.

04:24PM

25 Q. And this is at a point in time where you're being paid by

04:24PM 1 the federal government, correct?

04:24PM 2 A. Somewhere in between there.

04:24PM 3 Q. Yeah. The government is giving you money, correct?

04:24PM 4 A. Yes.

04:24PM 5 Q. In connection with this case, correct?

04:24PM 6 A. Yes.

04:25PM 7 Q. And you are -- you are saying something that's inaccurate

04:25PM 8 to the Subsidized Housing Authority, correct?

04:25PM 9 A. I guess so.

04:25PM 10 Q. And you told the FBI that you were doing that, correct?

04:25PM 11 A. Yep.

04:25PM 12 Q. And their response was, okay, right?

04:25PM 13 A. Um-hum.

04:25PM 14 Q. And, in fact, they offered to call on your behalf,

04:25PM 15 correct?

04:25PM 16 A. Um-hum.

04:25PM 17 Q. They didn't stop you from doing that, correct?

04:25PM 18 A. No. Why would they?

04:25PM 19 Q. It was a fraudulent application, correct?

04:25PM 20 A. Did you just hear me?

04:25PM 21 Q. I said -- well, I heard you.

04:25PM 22 A. I told you it's not fraudulent because I get visitation.

04:25PM 23 I don't have to have custody.

04:25PM 24 Q. You told them you had custody. Regardless of the

04:25PM 25 reason --

04:25PM 1 A. Okay.

04:25PM 2 Q. -- you told them something that was not accurate.

04:25PM 3 A. Okay. Because I already -- it's figured out.

04:25PM 4 Q. But you understand that when you told them you had

04:25PM 5 custody, that was not true.

04:25PM 6 A. Okay. But guess what? I was in the process.

04:26PM 7 Q. Okay. You don't have custody today, correct?

04:26PM 8 A. No.

04:26PM 9 Q. You still want them to help you get custody, right?

04:26PM 10 A. No. They're not helping me get custody of my daughter.

04:26PM 11 That is all me.

04:26PM 12 Q. All right. But there was a point in time where you were

04:26PM 13 looking to them for help?

04:26PM 14 A. I did ask. And did they do it? No.

04:26PM 15 Q. Okay. I want to talk to you a little bit about

04:26PM 16 Mr. Barsuk, who you mentioned earlier was a gentleman that

04:26PM 17 you met inside the club, correct?

04:26PM 18 A. Yes.

04:26PM 19 Q. And you did some VIP dances with him, correct?

04:26PM 20 A. Yes.

04:26PM 21 Q. And you came to have a relationship with him outside the

04:26PM 22 club, correct?

04:26PM 23 A. Yes.

04:26PM 24 Q. And that included him taking you out to dinner, correct?

04:27PM 25 A. Yes.

04:27PM 1 Q. And eventually he bought you some cars, correct?

04:27PM 2 A. Yes.

04:27PM 3 Q. And eventually he put up in an apartment, correct?

04:27PM 4 A. Yes.

04:27PM 5 Q. And he gave you regular money for drugs, correct?

04:27PM 6 A. Yes.

04:27PM 7 Q. And that took place from about 2015 to 2017, correct?

04:27PM 8 A. Yes.

04:27PM 9 Q. Okay. And so do you recall the date in 2015 that that

04:27PM 10 started?

04:27PM 11 A. The exact day?

04:27PM 12 Q. Yeah.

04:27PM 13 A. No.

04:27PM 14 Q. Do you recall the time of year?

04:27PM 15 A. No.

04:27PM 16 Q. No? Okay. But while you were with Mr. Barsuk, he's

04:27PM 17 giving you regular money for narcotics, correct?

04:27PM 18 A. Right.

04:27PM 19 Q. And you're getting narcotics from all different sources

04:27PM 20 at that point in time, correct?

04:27PM 21 A. I wouldn't say all different sources, I might have had

04:27PM 22 three or four.

04:27PM 23 Q. Okay. And some of those were outside of Pharaoh's,

04:27PM 24 correct?

04:27PM 25 A. Yes.

Q. Okay. So, at that point in time, if -- if you were fired from Pharaoh's, you still had a relationship with Mr. Barsuk, correct?

A. Yes.

Q. And presumably, he still -- he would have continued to give you money for drugs, correct?

MR. TRIPI: Objection to the "if" and the "presumably."

MR. SOEHNLEIN: Yeah, I'll withdraw it.

MR. TRIPI: I want to strike the last question and answer.

THE COURT: Yes, that question -- I don't know if there was an answer. If there was an answer, the jury will strike that, too.

So, the -- the objection to the form of the question is sustained.

BY MR. SOEHNLEIN:

Q. Okay. You understood that he would give you money for drugs, correct?

A. Yes.

Q. In exchange for that, you had sex with him, correct?

A. Yes.

Q. And he gave you an apartment, right?

A. Yes.

Q. He gave you cars, right?

04:28PM

1 A. Yes.

04:28PM

2 Q. He gave you dinners?

04:28PM

3 A. Yes.

04:28PM

4 Q. He gave you gifts?

04:28PM

5 A. Yes.

04:28PM

6 Q. He treated you like a girlfriend, correct?

04:28PM

7 A. Yes.

04:28PM

8 Q. And you were in this relationship from 2015 to 2017,

04:28PM

9 correct?

04:28PM

10 A. I wouldn't -- we weren't, like, relationship-wise. We

04:28PM

11 weren't together. But, you know, he helped me.

04:28PM

12 Q. But what we just discussed was going on for about that

04:28PM

13 two-year period, correct?

04:28PM

14 A. Yes.

04:28PM

15 Q. Now Mr. Gerace -- strike that.

04:28PM

16 That -- that welcome back party was in April of 2014,

04:28PM

17 correct?

04:29PM

18 A. Sure.

04:29PM

19 Q. Right? Well, we talked about that earlier before the

04:29PM

20 break, correct?

04:29PM

21 A. Okay.

04:29PM

22 Q. Okay. So from April 2014 to the beginning of 2015, you'd

04:29PM

23 agree with me that's about eight months?

04:29PM

24 A. Yes.

04:29PM

25 Q. Okay. And then you had the relationship with Mr. Barsuk,

04:29PM 1 correct?

04:29PM 2 A. And then I had the relationship?

04:29PM 3 Q. Well, you said it was some point in time in 2015,

04:29PM 4 correct?

04:29PM 5 A. Yeah.

04:29PM 6 Q. Okay. Now, when you were in that relationship, you

04:29PM 7 wanted the money for drugs, correct?

04:29PM 8 A. Right.

04:29PM 9 Q. You generally understood what was going on, correct?

04:29PM 10 A. Yes.

04:29PM 11 Q. You chose to go to dinner with him, correct?

04:29PM 12 A. Yes.

04:29PM 13 Q. You chose to let him pay for your apartment, correct?

04:29PM 14 A. Yes.

04:29PM 15 Q. You accepted the cars, correct?

04:29PM 16 A. Yes.

04:29PM 17 Q. You used the cars, correct?

04:29PM 18 A. Yes.

04:29PM 19 Q. You accepted the gifts that he gave?

04:29PM 20 A. Yes.

04:29PM 21 Q. And that was all independent of Mr. Gerace, correct?

04:29PM 22 A. All independent?

04:29PM 23 Q. Mr. Gerace had nothing to do with that, right?

04:29PM 24 A. Correct.

04:29PM 25 Q. Yeah. That was all outside of the club, correct?

04:29PM

1 A. Right.

04:29PM

2 Q. Right. Now there was this other occasion with Mr. Casey;

04:29PM

3 do you recall that testimony?

04:29PM

4 A. Yes.

04:29PM

5 Q. And you Ms. A.A. went out to dinner with him, correct?

04:30PM

6 A. Yes.

04:30PM

7 Q. And you negotiated a price of sex for money, correct?

04:30PM

8 A. Yes.

04:30PM

9 Q. And that was all outside of the club, correct?

04:30PM

10 A. Yes.

04:30PM

11 Q. And that's what you wanted to do, right?

04:30PM

12 A. Yes.

04:30PM

13 Q. You wanted money for drugs, correct?

04:30PM

14 A. Yes.

04:30PM

15 Q. And you did that outside of Pharaoh's, correct?

04:30PM

16 A. Yes.

04:30PM

17 Q. You did that without any involvement from Mr. Gerace,

04:30PM

18 correct?

04:30PM

19 A. Yes.

04:30PM

20 Q. You and Ms. A.A. did that on your own, correct?

04:30PM

21 A. Yes.

04:30PM

22 Q. You chose to do that, correct?

04:30PM

23 A. Yes.

04:30PM

24 Q. All right. And in connection with those, you chose who

04:30PM

25 you were going to sleep with, correct?

04:30PM 1 A. Yeah. I guess if you want to say a choice, sure.

04:30PM 2 Q. Yeah. And you chose where it was gonna happen?

04:30PM 3 A. Um-hum.

04:30PM 4 Q. And you chose how much, right?

04:30PM 5 A. Right.

04:30PM 6 Q. Just a second.

04:30PM 7 **MR. SOEHNLEIN:** That's all I have. Thank you.

04:30PM 8 **THE COURT:** Redirect, Mr. Tripi.

04:30PM 9

04:30PM 10 **REDIRECT EXAMINATION BY MR. TRIPI:**

04:31PM 11 Q. Not too many questions about what happened upstairs with
04:31PM 12 the defendant in Pharaoh's the last two hours, huh?

04:31PM 13 A. No.

04:31PM 14 **MR. SOEHNLEIN:** Objection.

04:31PM 15 **THE COURT:** Sustained. Sustained. The jury will
04:31PM 16 strike that.

04:31PM 17 Mr. Tripi, you know better.

04:31PM 18 **BY MR. TRIPI:**

04:31PM 19 Q. Was the bulk of what you were talking about in all those
04:31PM 20 times you met with government about what happened upstairs at
04:31PM 21 Pharaoh's?

04:31PM 22 A. No.

04:31PM 23 Q. With the defendant?

04:31PM 24 A. No.

04:31PM 25 Q. Is that what we were talking about in 2023 and 2020?

04:31PM 1 A. Yes.

04:31PM 2 Q. Okay. At that time in your life, if somebody told you
04:31PM 3 lick the bottom a toilet seat for drugs, would you have done
04:31PM 4 it?

04:31PM 5 A. Yes.

04:31PM 6 Q. Does that feel like a choice?

04:31PM 7 A. No.

04:32PM 8 Q. Has everything about life been a struggle since you
04:32PM 9 started at Pharaoh's?

04:32PM 10 A. Yes.

04:32PM 11 Q. During those brief patches of times when you worked at
04:32PM 12 Pharaoh's, and you went to 28-day rehabs for a month, and
04:32PM 13 then you got back and you went to Pharaoh's again, were you
04:32PM 14 fired because you used drugs, or because your looks slipped?

04:32PM 15 **MR. SOEHNLEIN:** Objection. State of mind.

04:32PM 16 **MR. TRIPI:** This was on both direct and cross.

04:32PM 17 **THE COURT:** Sustained. You need more of a
04:32PM 18 foundation.

04:32PM 19 **BY MR. TRIPI:**

04:32PM 20 Q. Were you told by this defendant you're being fired
04:32PM 21 because you used cocaine with me?

04:32PM 22 A. No.

04:33PM 23 Q. Okay. Why were you told you were being fired?

04:33PM 24 A. Because of my appearance.

04:33PM 25 Q. Mr. Soehnlein was asking you questions, and he said -- he

04:33PM 1 asked a number of questions about "and they told you this,"

04:33PM 2 "and they told you that" after you got out of rehab. Do you

04:33PM 3 remember that series of questions?

04:33PM 4 A. Yes.

04:33PM 5 Q. At one point you said I don't come out of rehab and say

04:33PM 6 everything you are say. Do you remember stopping him and

04:33PM 7 saying that?

04:33PM 8 A. Yes.

04:33PM 9 Q. What did you mean by that?

04:33PM 10 A. I don't come out of rehab and go tell everybody that's

04:33PM 11 where I was.

04:33PM 12 Q. Did any of those conversations actually occur where

04:33PM 13 people at Pharaoh's said, are you going to behave yourself

04:33PM 14 now and not use drugs?

04:33PM 15 A. No.

04:33PM 16 Q. Did that ever actually happen?

04:33PM 17 A. No.

04:33PM 18 Q. Okay. After you got back from a stint in rehab, did you

04:34PM 19 find yourself back upstairs at Pharaoh's doing cocaine with

04:34PM 20 the defendant?

04:34PM 21 A. Yes.

04:34PM 22 Q. Did you find him asking you to do favors in exchange for

04:34PM 23 it?

04:34PM 24 A. Yes.

04:34PM 25 Q. Did that include oral sex?

04:34PM 1 A. Yeah.

04:34PM 2 Q. Did that include vaginal sex?

04:34PM 3 A. Yeah.

04:34PM 4 Q. You were asked some questions about was Pharaoh's being

04:34PM 5 the only place you got drugs, right?

04:34PM 6 A. Yes.

04:34PM 7 Q. When you're not -- when you're not being given drugs

04:35PM 8 directly in exchange for sex, do they cost money?

04:35PM 9 A. Yes.

04:35PM 10 Q. Do they cost money inside Pharaoh's when you buy them

04:35PM 11 from Charm?

04:35PM 12 A. Yes.

04:35PM 13 Q. Do they cost money outside of Pharaoh's?

04:35PM 14 A. Yes.

04:35PM 15 Q. Was Pharaoh's the way you knew at that point in your life

04:35PM 16 how to make money working there?

04:35PM 17 A. No.

04:35PM 18 Q. No? Was Pharaoh's, at that point in your life -- just

04:35PM 19 listen to the question.

04:35PM 20 Was that, at that point in your life, was Pharaoh's and

04:35PM 21 dancing there, and doing things you were doing there, was

04:35PM 22 that the way you knew how to make money?

04:35PM 23 A. Yes. Yes.

04:35PM 24 Q. Who's the person that told you they could prevent you

04:35PM 25 from working at other clubs?

04:35PM 1 A. The defendant.

04:35PM 2 Q. You were asked some questions about your ability to

04:35PM 3 recall and remember things, right?

04:36PM 4 A. Yes.

04:36PM 5 Q. Do you recall and remember the things you're talking

04:36PM 6 about at this trial to this jury?

04:36PM 7 A. Yes.

04:36PM 8 Q. Are you making up the things that you're telling them for

04:36PM 9 the last couple days?

04:36PM 10 A. No.

04:36PM 11 Q. When you used drugs and cocaine or heroin, do you -- do

04:36PM 12 you still have eyes in your head?

04:36PM 13 A. Yeah.

04:36PM 14 Q. Do you still have ears?

04:36PM 15 A. Yes.

04:36PM 16 Q. Can you still remember things that happened to you?

04:36PM 17 A. Yes.

04:36PM 18 Q. When the defendant or Aaron or David gave you drugs and

04:36PM 19 said do me a favor, and you performed oral sex, do you

04:36PM 20 remember doing those things?

04:36PM 21 A. Yeah. I try to block it out, but you can't.

04:36PM 22 Q. Do you remember engaging in the vaginal sex?

04:36PM 23 A. Yes.

04:36PM 24 Q. Does every minute about this suck?

04:36PM 25 A. Yes.

04:36PM 1 Q. Those brief stints in rehab, when you would go for 28
04:37PM 2 days and come out, was Pharaoh's like a beacon to you? Did
04:37PM 3 you get drawn back there?

04:37PM 4 A. Always.

04:37PM 5 Q. Explain why.

04:37PM 6 A. Once you get involved in that life, it's -- it's hard to
04:37PM 7 get out of. And it takes years to work on yourself. Like,
04:37PM 8 it's already been five years, and I'm just now starting to
04:37PM 9 get my life together. And I'm 32. Like, it just sucks.

04:37PM 10 Q. Did you know Pharaoh's was a place you could get drugs?

04:37PM 11 A. No.

04:37PM 12 Q. When you got out of rehab?

04:37PM 13 A. Yes.

04:37PM 14 Q. Did you know that was a place you could make money to get
04:37PM 15 drugs?

04:37PM 16 A. Yes.

04:37PM 17 Q. After coming out of a 28-day rehab, were you able to --
04:38PM 18 you just said it takes years. Were you able to resist, after
04:38PM 19 28 days, were you fixed all of a sudden?

04:38PM 20 A. No.

04:38PM 21 Q. You were asked about text communications from August of
04:38PM 22 2023 to, I think, April of 2024. Do you remember that? And
04:38PM 23 you were writing on a piece of paper and it got tiresome,
04:38PM 24 right?

04:38PM 25 A. Yes.

04:38PM 1 Q. Okay. Were there -- was there supposed to be a trial --
04:38PM 2 just "yes" or "no" -- was there supposed to be a trial in
04:38PM 3 June of 2023?
04:38PM 4 A. Yes.
04:38PM 5 Q. Was there supposed to be a trial in August of 2023?
04:38PM 6 A. Yes.
04:38PM 7 Q. Was there supposed to be a trial in October of 2023?
04:38PM 8 A. Yes.
04:38PM 9 Q. Was there supposed to be a trial in January of 2024?
04:39PM 10 A. Yes.
04:39PM 11 Q. Did those delays contribute to having to continue
04:39PM 12 communicating with the FBI?
04:39PM 13 A. Sorry, what?
04:39PM 14 Q. Did you have to keep in contact with the FBI?
04:39PM 15 A. Yes, at every moment.
04:39PM 16 Q. Did you believe that you needed to be kept in a safe
04:39PM 17 place?
04:39PM 18 A. Yes.
04:39PM 19 Q. Was that a concern you expressed from the moment the day
04:39PM 20 that Geraldo Rondon appeared in Pennsylvania?
04:39PM 21 A. Yes.
04:39PM 22 Q. You were asked about the FBI getting Jeff a job. Did
04:39PM 23 they get Jeff a job, or did they tell you your boyfriend
04:39PM 24 should get work?
04:39PM 25 A. Exactly. That's exactly what they said. He needs to go

04:39PM 1 get work.

04:39PM 2 Q. If you needed a letter saying you were homeless, though,
04:40PM 3 for an application, was that true?

04:40PM 4 A. Yes.

04:40PM 5 Q. Did you get that type of letter from the FBI?

04:40PM 6 A. Yes.

04:40PM 7 **MR. TRIPI:** Can we pull up Exhibit 369L.

04:40PM 8 **BY MR. TRIPI:**

04:40PM 9 Q. Remember, you were asked some questions about this; do
04:40PM 10 you remember that?

04:40PM 11 A. Yes.

04:40PM 12 Q. Do you know what the hell this document is?

04:40PM 13 A. No.

04:40PM 14 Q. Okay. Now --

04:40PM 15 **MR. TRIPI:** We can take that down.

04:40PM 16 **BY MR. TRIPI:**

04:40PM 17 Q. From your memory, and from your experience at Pharaoh's,
04:40PM 18 do you always remember this defendant being there?

04:40PM 19 A. Yes.

04:40PM 20 Q. Do you ever, do you, of your personal recollection, ever
04:40PM 21 remember a time when there was significant amounts of time he
04:41PM 22 was gone?

04:41PM 23 A. No.

04:41PM 24 Q. Who's the one that walked around like the boss there?

04:41PM 25 A. Peter.

04:41PM 1 Q. That guy?

04:41PM 2 A. Yes.

04:41PM 3 Q. Who's the one who told you that Wayne van Vleet -- first

04:41PM 4 told you that Wayne van Vleet would pull your hair and finger

04:41PM 5 you in VIP? Who was the first one who told you that?

04:41PM 6 A. The defendant.

04:41PM 7 Q. Who was the one who told you Brian Rosenthal would

04:41PM 8 overlook the camera?

04:41PM 9 A. The defendant.

04:41PM 10 Q. When you decided not to work at a Pharaoh's golf

04:41PM 11 tournament, did you stay back at the club and work?

04:41PM 12 A. Yes.

04:41PM 13 Q. The club stayed open, right?

04:41PM 14 A. Yes.

04:41PM 15 Q. Did you still make Pharaoh's money?

04:42PM 16 A. Yes.

04:42PM 17 Q. When the defendant told you Brian will look the other

04:42PM 18 way, did you understand that to mean the defendant knew Brian

04:42PM 19 would let sex acts occur?

04:42PM 20 A. Yes.

04:42PM 21 Q. You were asked some questions about Gerace rarely being

04:42PM 22 there. Was he present when he gave you cocaine?

04:42PM 23 A. Yes.

04:42PM 24 Q. Was he present when you gave him oral sex?

04:42PM 25 A. Yes.

04:42PM 1 Q. Was he present when he had vaginal sex with you?

04:42PM 2 A. Yes.

04:42PM 3 Q. Was he present when he had threesomes with you and others
04:42PM 4 in the upstairs?

04:42PM 5 A. Yes.

04:42PM 6 Q. Was he present when he gave the key to Aaron?

04:42PM 7 A. Yes.

04:42PM 8 Q. Was he present when he gave the key to David?

04:42PM 9 A. Yes.

04:42PM 10 Q. In your view, was it widely known that you had serious
04:43PM 11 addiction problems?

04:43PM 12 A. Yes.

04:43PM 13 Q. You were asked about some -- what Mr. Soehnlein referred
04:43PM 14 to as a Medicaid cab scheme. I just want to touch on that
04:43PM 15 briefly.

04:43PM 16 Basically, were there some people in town that would
04:43PM 17 transport people who had to go get methadone, that included
04:43PM 18 you, and they would put three or four or five people in a
04:43PM 19 vehicle at once, but then pretend they took five rides?

04:43PM 20 A. Yes.

04:43PM 21 Q. And they gave you extra money for that?

04:43PM 22 A. Yes.

04:43PM 23 Q. When you were doing that, and you acknowledged that that
04:44PM 24 was happening to Special Agent Burns, did he tell you that
04:44PM 25 that's actually a crime?

04:44PM

1 A. Yes.

04:44PM

2 Q. Did you stop doing it?

04:44PM

3 A. Yes.

04:44PM

4 Q. Did he tell you you need to stop doing that?

04:44PM

5 A. Yes.

04:44PM

6 Q. Did you have any idea that what the people driving you

04:44PM

7 was doing was illegal when you were doing it, before the

04:44PM

8 agent told you that's illegal?

04:44PM

9 A. No.

04:44PM

10 Q. Is it your understanding that principals, the people who

04:44PM

11 were behind that activity, several of them ended up getting

04:44PM

12 arrested for that?

04:44PM

13 A. Yes.

04:44PM

14 Q. When you were first asked about -- let me withdraw that.

04:44PM

15 In summer and August of 2023, you talked about it with

04:44PM

16 Mr. Soehnlein, you came in to prepare for what you thought

04:45PM

17 was going to be a trial, right?

04:45PM

18 A. Yes.

04:45PM

19 Q. And in the context of that, between 2020 and 2023, you

04:45PM

20 had -- you had been living, even though your identity was

04:45PM

21 secret, you had been living on your own?

04:45PM

22 A. Yes.

04:45PM

23 Q. So after 2020 and you're interviewed and you go to grand

04:45PM

24 jury, the rest of 2020, you're not dealing with the FBI,

04:45PM

25 correct?

04:45PM 1 A. Correct.

04:45PM 2 Q. 2021, you're living out there in the world on your own?

04:45PM 3 A. Correct.

04:45PM 4 Q. 2022, same thing, right?

04:45PM 5 A. Correct.

04:45PM 6 Q. 2023, trial is approaching, they reconnect with you,

04:45PM 7 right?

04:45PM 8 A. Yes.

04:45PM 9 Q. They asked you to move closer to this area?

04:45PM 10 A. Yes.

04:45PM 11 Q. Because we needed to get ahold of you --

04:45PM 12 A. Yes.

04:45PM 13 Q. -- is that fair?

04:45PM 14 A. Yes.

04:45PM 15 Q. You needed some help --

04:45PM 16 A. Yes.

04:45PM 17 Q. -- doing that?

04:45PM 18 A. Yeah.

04:45PM 19 Q. Did you get rich off of this?

04:45PM 20 A. No. No.

04:45PM 21 Q. Are you still struggling?

04:45PM 22 A. Every day.

04:46PM 23 Q. The FBI arranged to have a Christmas tree donated to you,

04:46PM 24 things like that?

04:46PM 25 A. Yes.

04:46PM 1 Q. Are you making stuff up here because they helped you get
04:46PM 2 diapers for your kid?

04:46PM 3 A. No.

04:46PM 4 Q. When you were first being asked more details about
04:46PM 5 specific people in the downstairs VIP, was that in the summer
04:46PM 6 of 2023 preparing for trial?

04:46PM 7 A. Yes.

04:46PM 8 Q. When you were asked questions three years earlier in
04:46PM 9 2020, were you answering the questions that were being asked?

04:46PM 10 A. Yes.

04:46PM 11 Q. Does anyone just come in and say, hey, tell me everything
04:46PM 12 about your life? Is that ever how an interview goes?

04:46PM 13 A. No.

04:46PM 14 Q. Okay. Do you know what the hell interviewers want to
04:47PM 15 know from you? Or do you just answer questions?

04:47PM 16 A. I just answer questions.

04:47PM 17 Q. In the summer of 2023, were more specific questions asked
04:47PM 18 of you about specific people that might have been in the
04:47PM 19 downstairs?

04:47PM 20 A. Yes.

04:47PM 21 Q. Is that when those names, Wayne van Vleet, Joe Barsuk,
04:47PM 22 and Jim Casey came out of your mouth?

04:47PM 23 A. Yes.

04:47PM 24 Q. Was the focal point of questions in the year prior to
04:47PM 25 that mainly about the upstairs?

04:47PM 1 A. Yes.

04:47PM 2 Q. When those names came out of your mouth in 2023, in the
04:47PM 3 summer of 2023, did you go back into grand jury and talk
04:47PM 4 about what happened with those individuals?

04:47PM 5 A. Yes.

04:47PM 6 Q. Did the government questions get more focused and pointed
04:48PM 7 over time?

04:48PM 8 A. Yes.

04:48PM 9 Q. More detailed?

04:48PM 10 A. Yes.

04:48PM 11 Q. You had a back and forth with Mr. Soehnlein about your
04:48PM 12 housing and your housing application.

04:48PM 13 Do you feel it's fair for the government, when you're
04:48PM 14 being required to testify in a trial like this, to make
04:48PM 15 efforts to ensure you're safe?

04:48PM 16 A. Yes.

04:48PM 17 Q. Can you explain what was going on as it related to that
04:48PM 18 application where your daughter -- where you referenced your
04:48PM 19 daughter? Explain it for the jury so you -- explain it in
04:48PM 20 your own words?

04:48PM 21 A. Okay. So when I was applying for my Section 8, they
04:49PM 22 wanted me to put the kids I had custody of on the
04:49PM 23 application.

04:49PM 24 And then when they accept it, I go back and talk to them
04:49PM 25 about my mom has custody of my daughter, but since I get

04:49PM 1 visitation, they will allow another room. So that's what
04:49PM 2 happened.

04:49PM 3 I wasn't trying to get over on them, no, because it would
04:49PM 4 never work.

04:49PM 5 Q. You were asked about the government getting involved in
04:49PM 6 your custody issue with your daughter.

04:49PM 7 A. Yes.

04:49PM 8 Q. Is that a personal family matter that you're dealing
04:49PM 9 with?

04:49PM 10 A. Yes.

04:49PM 11 Q. You were asked about Joe Barsuk. Does he live in -- did
04:49PM 12 he live at the time in Batavia, New York?

04:49PM 13 A. Yes.

04:49PM 14 Q. 45 minutes or so away?

04:49PM 15 A. Yes.

04:49PM 16 Q. Were you still working at Pharaoh's and was that
04:50PM 17 overlapping time periods?

04:50PM 18 A. Yes.

04:50PM 19 Q. Did Mr. Barsuk exploit you outside of Pharaoh's similar
04:50PM 20 to how you were being exploited inside Pharaoh's?

04:50PM 21 A. Yes.

04:50PM 22 Q. And remind the jury, where did you first engage in sex
04:50PM 23 with Mr. Barsuk?

04:50PM 24 A. Pharaoh's.

04:50PM 25 Q. And you were asked about Jim Casey. Where did you first

04:50PM 1 engage in sex with him?

04:50PM 2 A. Pharaoh's, as well.

04:50PM 3 Q. And then it continued for a little bit outside with him

04:50PM 4 and A.A.?

04:50PM 5 A. Yes.

04:50PM 6 Q. Where did all of this start for you?

04:50PM 7 A. At Pharaoh's.

04:50PM 8 Q. Did this defendant play a role?

04:51PM 9 A. Yes.

04:51PM 10 **MR. TRIPI:** No further redirect, thank you.

04:51PM 11 **THE COURT:** Anything more, Mr. Soehnlein?

04:51PM 12 **MR. SOEHNLEIN:** Just a few questions, Judge. And

04:51PM 13 we're almost done.

04:51PM 14

04:51PM 15 **RECROSS-EXAMINATION BY MR. SOEHNLEIN:**

04:51PM 16 Q. When you left rehab those three times and returned to

04:51PM 17 Pharaoh's, did anyone tell you you had to go back to

04:51PM 18 Pharaoh's?

04:51PM 19 A. No.

04:51PM 20 Q. No. When you left rehab, did you have family members and

04:51PM 21 friends that helped you when you got out?

04:51PM 22 A. Nope.

04:51PM 23 Q. Okay. And you returned to Pharaoh's because that's what

04:51PM 24 you wanted to do, correct?

04:51PM 25 A. Yeah.

04:51PM 1 Q. At that point in time, correct?

04:51PM 2 A. Yes.

04:51PM 3 Q. You knew what it was, correct?

04:51PM 4 A. Yes.

04:51PM 5 Q. And you chose to go there, correct?

04:51PM 6 A. Yes.

04:51PM 7 Q. And those times that Mr. Barsuk and Mr. Casey engaged in

04:52PM 8 sex acts with you in the VIP, each of those times,

04:52PM 9 Mr. Rosenthal was being paid off to look the other way,

04:52PM 10 correct?

04:52PM 11 A. Yes.

04:52PM 12 **MR. SOEHNLEIN:** That's all I have.

04:52PM 13 **THE COURT:** Anything more, Mr. Tripi?

04:52PM 14 **MR. TRIPI:** No, thank you, Judge.

04:52PM 15 **THE COURT:** You can step down. Thank you, ma'am.

04:52PM 16 **THE WITNESS:** Okay.

17 (Witness excused at 4:52 p.m.)

18 (Excerpt concluded at 4:52 p.m.)

19 * * * * *

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CERTIFICATE OF REPORTER

In accordance with 28, U.S.C., 753(b), I
certify that these original notes are a true and correct
record of proceedings in the United States District Court for
the Western District of New York on December 16, 2024.

s/ Ann M. Sawyer

Ann M. Sawyer, FCRR, RPR, CRR

Official Court Reporter

U.S.D.C., W.D.N.Y.

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